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Journal of the Senate

January 3rd 1877

Approved

General Assembly of Colorado

Senate

First Session.

Wednesday, January 3d 1877

Senate met pursuant to adjournment of December 23d 1876.

Lieutenant Governor presiding.

Roll Call

Absent - Messrs Barela, Chacon, Clelland, De France, Gardner, Gaussoin, Hamill, Meyer, Rockwell & Taylor

Quorum present

Prayer by the Chaplain.

Mr Hall moved.
To grant Messrs Barela & Taylor leave of absence until to-morrow morning.
Carried.

Journal of Saturday, December 23d 1876 read and approved.

Reports of Standing Committees

Committee on Printing reported as follows
To the

President of the Senate

Your Committee to whom was referred Senate Bills No. 6. 123. & 135 beg leave to report the same back to the Senate correctly printed

Albert Coleman

Chairman

Committee on Incorporations reported as follows

To the

President of the Senate

Your Committee to whom was referred Senate Bill No. 25. beg leave to report the same back to the Senate with the following amendments.

That Section one be amended so as to read "That Chapter 18 of the Revised Statutes of the Territory of Colorado entitled "Corporations and the acts amendatory "thereto"

That an act entitled "An act to enable "Counties to provide for the payment of "their funded debt" approved Feby 13 1874 be and the same are hereby repealed

also

Your Committee to whom was referred Senate Bill No. 24 beg leave to report the same back to the Senate without amendment.

L. C. Ellsworth

Chairman

Mr Hamill appeared and took his seat.

Mr Ellsworth moved.
To place Senate Bills No. 24 and 25 on file
for their regular readings.
Carried

Mr Butters introduced
S.C.R. No 8" In relation to appointment
"of a Joint Committee to examine accounts
"of Auditor and Treasurer of State"

S.C.R. No. 8. read.

Mr Webster moved.
To suspend the Rules and
Consider S.C.R. No. 8.
Carried

Mr Webster moved.
To adopt S.C.R. No 8.
Carried

Mr Garrison appeared and took his seat.

Reading of Bills

S.B. No. 135, entitled "A Bill for an
"Act for the relief of Las Animas County"
Read 1st time.

S.B. No. 24, entitled "A Bill for an Act
"relating to Bonds and interest thereon

"heretofore issued by Counties, Cities and
"Towns, in aid of organized railroads and
"wagon-roads and other purposes"
Read 2nd time and
Referred to Committee of the Whole

S. B. No. 123, entitled "A Bill for an Act
"to provide for the Election of a Police
"Magistrate in certain Cities, defining
"his duties and jurisdiction, and providing
"for his compensation"
Read 2nd time

Mr Webster moved
To refer S. B. No. 123 to Committee on Incorporations
Carried.

S. B. No. 67, entitled "A Bill for an Act
"to facilitate the recovery of ore unlawfully
"taken by theft or trespass; To regulate
"the sale and disposition of ore, and for
"the better protection of mine owners"
Read 2nd time

Mr Webster moved
To refer S. B. No. 67, to Committee on Mines and Mining"
Carried

S. B. No. 37, entitled "A Bill for an Act
"to establish and maintain a system of
"Free Schools"

Read 2nd time

Mr Ellsworth moved
To refer S. B. No. 37 to Committee on Education School and University Lands
Carried

Committee on Enrollment (Joint) reported as follows.
To the
President of the Senate
The Joint Committee on Enrollment have compared House Bill No. 11 with the engrossed copy, find the same correctly enrolled and report it to the Senate signed by the Speaker of the House
Respectfully
W. B. Hamilton
Chairman on the part of the Senate of the Joint Committee on Enrollment

The Title was read and
The President announced the signing of H. B. No. 11, entitled "An Act to provide for "the holding of two or more terms of the "Supreme Court of the State of Colorado, "annually, and to make certain regula-"tions incident thereto"

S. B. No. 6, entitled "A Bill for an Act "to provide for the payment of certain claims "for Printing the Constitution of the State"
Read 3d time and

Passed by the following vote

Ayes—Messrs. Bates, Butters, Ellsworth, Gunsaw, Hall, Harrell, Hamilton, Haynes, Henson, Hill, Maxwell, Meldrum, Moynahan, Randall and Webster — 15.

Noes. — None.

Absent and Not Voting
Messrs. Basila, Bennett, Clancy, Clelland, De France, Gardner, Johnson, Meyer, Rockwell, Saunders and Taylor. — 11.

Title agreed to.

S.C.R. No. 7 "In relation to the final reading and passage of Bills during the Holidays"
Taken up and Read.

Mr Butters moved
To lay on the Table
Carried

Report of Judiciary Committee on S.B. No. 14 entitled "A Bill for an act to authorize Clerks of the District Court to appoint Deputies"
Taken up.

Mr Butler moved.
To adopt amendments proposed by the Committee on Judiciary
Carried.

Mr Butler moved
To refer S.B. No. 14 as amended to Committee on Printing with orders to print.
Carried.

S.M. & J.R. No. 8 "Asking Congress for a Grant of "Arid Lands within the State, for purposes "of Irrigation & Reclamation"
Taken up, & Read.

Mr Ellsworth moved.
To refer to Committee on Federal Relations
Carried.

S.M. & J.R. No. 10. "Praying Congress for the "removal of the Ute, Pah-Ute and other "Indian Tribes outside of the boundaries "of the State of Colorado"
Taken up & Read.

Mr Gausson moved.
To refer to Committee on Indian Affairs.
Carried.

S.M. & J.R. No. 9. "Asking Congress for a "Grant of Public Lands & Right of Way "to the Golden, Georgetown & Central R.R. "Co"

Taken up 2d Read

Mr Hamill moved.
To refer to Committee on Federal Relations
Carried.

S. B. No 25 entitled "A Bill for an act
"to repeal certain laws relating to Cor-
"porations"
Taken up

Mr Butler moved,
To adopt amendments proposed by Com-
mittee on Incorporations to S. B. No. 25.
Carried.

Mr Butler moved
To lay S. B. No 25 on the Table for future
consideration
Carried.

Mr Hamill moved.
To adjourn
Carried

So at 12 M. the Senate adjourned.

Afternoon Session

Senate met pursuant to adjournment

Quorum present

Mr Ellsworth asked unanimous consent to present a report

Consent granted &c

Committee on Incorporations reported as follows

To the

President of the Senate

Your Committee to whom was referred Senate Bills No. 45. 46. and 118 beg leave to report the same back to the Senate without amendment

L. C. Ellsworth

Chairman

Mr Ellsworth moved
To place S. B. No. 118 on file for 1st reading
Carried

Mr Ellsworth moved
To place S B. No. 45 and S. B. No. 46 on file for 2nd reading
Carried

S. B. No. 118 entitled "A Bill for an Act "to preserve the Public Health"
Read 1st time

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver, Jany 3rd 1877.

To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has adopted S. C. R. No 8 and has appointed Messrs Morehouse and Adams on said Committee. S. C. R. No. 8 is herewith transmitted

Respectfully
W. B. Felker
Chief Clerk of the House.

Committee on Enrollment (Joint) reported as follows.

To the
President of the Senate

The Joint Committee on Enrollment presented House Bill No. 11, to His Excellency, the Governor, for his approval, at 2 O'clock P.M. January 3rd 1877.

Respectfully
W. B. Hamilton
Chairman on the part of the Senate of the Joint Committee on Enrollment

---

Mr Ellsworth moved.
To take up bills now on file for 2nd reading. Carried.

S. B. No. 45. entitled "A Bill for an Act
"to reduce the law incorporating the City
"of Denver, and the several Acts amend-
"atory thereof into one act, &c to revise and
"amend the same" —
Read 2nd time —

Mr Haynes moved
To refer to Committee on Incorporations —
Carried —

Mr Maxwell asked unanimous consent to
present a report —
Consent granted &c —

Committee on Engrossment reported as
follows.

To the
President of the Senate —

Your Committee to whom was
referred S. B. No. 6 beg leave to report the same
back to the Senate correctly engrossed. —

Respectfully —
J. P. Maxwell —
Chairman —

Mr Saunders (unanimous consent being
given) offered the following resolution —
"Resolved
"That the standing Committee on
"Immigration be permitted to take the
"Report of the Committee from the hands
"of the Printing Committee for the purpose

"of revision and improvement, the report
"not having been printed."

Mr. Saunders moved
To adopt the Resolution
Carried

Mr. Haynes asked unanimous consent
to present a report
Consent granted &c

Committee on Elections reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 28, beg leave to report the same back to the Senate without amendments and recommend its reference to the Committee of the Whole House.

Respectfully
S. B. A. Haynes
Chairman.

Mr. Webster moved
To adopt report &c
Refer S. B. No. 28 to Committee of the Whole
Carried

S. B. No. 46, entitled "A Bill for an Act
"to establish a Board of Police Com-
"missioners in certain Cities of the first class"

Read 2nd time

Mr Butters moved
To refer S. B. No. 46 to a Special Committee to consist of the Senators from the 8th District
Carried.

Mr Saunders moved.
To add two members to the Special Committee
Carried.

The President appointed as such additional members of such Committee Messrs Saunders & Harrell.

The President appointed as members of the Joint Committee under S. C. R. No. 8 (on the part of the Senate) — Mr Butters.

Mr Ellsworth moved.
That the Senate resolve itself into the Committee of the Whole on S. B. No 28.
Carried

So the Senate went into Committee of the Whole on
S. B. No. 28. entitled "A Bill for an act "regulating Elections and repealing all "Territorial Acts upon the subject" — with Mr Ellsworth in the Chair

The Committee of the Whole rose
The Senate resumed its session and
The following report was read.

Mr President

Your Committee of the Whole House have had under consideration S. B. No 28 have made some progress and ask leave to sit again

L. C. Ellsworth
Chairman

Mr Webster moved
To grant request.
Carried.

Mr Mayquiham asked
Leave of absence for remainder of to-days Session
Granted

Mr Butler moved
To take a recess until 7³⁰ P. M.
Carried

So at 5²⁰ P. M. the Senate took a recess.

Evening Session

Senate met at 7^{30} P.M.

Mr Webster moved.
That the Senate resolve itself into the Committee of the Whole for the further consideration of S. B. No. 28
Carried

Mr Rockwell appeared and took his seat.

The Senate then went into Committee of the Whole on S. B. No. 28 with
Mr Ellsworth in the Chair

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read.
Mr President
Your Committee of the Whole House have had under consideration S. B. No. 28, have made some progress and ask leave to sit again.

L. C. Ellsworth
Chairman

Mr Button moved
To grant request
Carried

Mr Ellsworth moved
To adjourn ~~until 9 am. to-morrow~~
Carried.

Journal of the Senate

January 4th 1877.

Approved.

General Assembly of Colorado.

Senate
First Session
Thursday, January 4th 1877.

Senate met pursuant to adjournment—

Lieutenant Governor presiding —

Roll Call —

Present—Messrs. Chacon, Ellsworth, Hamill, Henson, Randall, Saunders & Webster — 7.

Absent—Messrs. Barela, Bates, Bennet, Butters, Clelland, De France, Gardner, Gausson, Hall, Hamilton, Haynes, Hill, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Rockwell, & Taylor—19.

No quorum present —

Mr Hamill moved a —

Call of the Senate —

The Call being seconded —
It was ordered.
That the Sergeant-at-Arms close the doors and —

That the Secretary call the roll.

The roll being called.
The following named Senators answered to their names viz.
Messrs. Chase, Ellsworth, Hamill, Henson, Johnson, Randall, Saunders & Webster — 8.

The following named Senators were absent without leave viz.
Messrs. Barela, Bates, Bennet, Butters, Clelland, De France, Gardner, Gausson, Hall, Hamilton, Hill, Haynes, Maxwell, Meldrum, Meyer, Moynahan, Rockwell & Taylor — 18.

The Sergeant-at-Arms was directed to procure the attendance of the absentees.

Messrs. Hall, Hill, Bates, Bennet, Butters, Haynes & Maxwell appeared.

Mr Ellsworth moved
To excuse absentees for non-attendance &
To dispense with further proceedings under the call of the Senate.
Carried.

A quorum being now present the following proceedings were had.

Prayer by the Chaplain

Mr Webster moved.
To dispense with the regular order of business
Carried

Messrs Rockwell, Meldrum, Moynahan, Garrison & Hamilton appeared and took their seats

The following communication was presented & read, viz

Denver Col. Dec. 29th 1876

Hon S. B. A. Haynes.

Dear Sir

I have to go East and may not be back until the last of next week Please excuse me to the Senate

Yours Truly

A. H. De France

Mr Haynes moved.
To excuse Mr De France for the present
Carried

Mr Butler moved
To grant Joint Committee on Examination of Accounts of Auditor & Treasurer of State leave to sit during sessions of the Senate.
Carried

Mr Webster moved. —
To grant Messrs Barela & Taylor leave of absence until the 5th instant. —
Carried. —

Mr Webster moved. —
That the Senate do now resolve itself into the Committee of the Whole on S. B. No. 28. —
Carried. —

So the Senate went into Committee of the Whole on —
S. B. No. 28. entitled "A Bill for an Act "regulating Elections & repealing all Ter-"ritorial Acts upon the subject" - with —
Mr Ellsworth in the Chair —

The Committee of the Whole rose —
The Senate resumed its session & —
The following report was read. —
Mr President —
Your Committee of the Whole House have had under consideration S. B. No. 28. have made sundry amendments thereto, and have instructed me to report the same back to the Senate (with such amendments) with the recommendation that the Bill be referred to the Committee on Elections —

L. C. Ellsworth —
Chairman —

Mr Hamill moved.
To adopt report.
Carried

Mr Saunders moved.
To refer S. B. No. 28 and amendments proposed by Committee of the Whole to Committee on Election
Carried.

Mr Rockwell asked unanimous consent to present certain reports
Consent granted and

Committee on Judiciary reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 4 regarding holding term of Court in 3d Judicial District beg leave to report the same back to the Senate with a recommendation that it be indefinitely postponed.
also
Your Committee to whom was referred S. B. No. 19, regarding the payment of a claim of William Whist beg leave to report the same back to the Senate with a recommendation that it be referred to Committee on Finance Ways and Means and that such Committee furnish to the Senate a state-

ment containing the names of persons holding claims as a member, officer employee or otherwise of the Constitutional Convention and the amount due such persons respectively

also.

Your Committee to whom was referred S. B. No. 62 regarding Seal of the Supreme Court beg leave to report the same back to the Senate with a recommendation that it do pass.

L. C. Rockwell
Chairman

Mr Hamill (unanimous consent being given) introduced the following resolution

"Resolved,
" That the Senate Standing Committee on Judiciary are hereby instructed to confer with the like Committee of the House for the purpose of considering what further action should be taken in reference to House Bill No. 87"

Mr Hamill asked unanimous consent to consider resolution.

Mr Bennet objected.

Mr Rockwell moved,
To adopt report of Judiciary Committee on S. B. No. 4 entitled "A Bill for an Act

"to provide Terms of Court in the Third "Judicial District" ——
Carried. ——

Mr Rockwell moved. ——
To adopt report of Judiciary Committee on S. B. No. 19. entitled "A Bill for an "Act to provide for the payment of the "Claims of William Wurst for translating "the Constitution of the State into the "German Language" ——

Mr Haynes moved. ——
Certain amendments to report. ——

Mr Rockwell raised point of order — That the report could not be amended —

The President decided the point of order to be well taken. ——

Mr Haynes moved. ——
To re-refer S. B. No. 19. & Report to Committee on Judiciary. ——
Carried. ——

Mr Hensor moved. ——
To adopt report of Judiciary Committee on ——
S. B. No. 62. entitled "A Bill for an Act "to provide a Seal for the Supreme Court "of Colorado" ——
Carried ——

The regular Order of Business was then taken up.

Journal of yesterday read: and approved.

Petitions and Memorials

Mr Harrell presented Petitions of Jasper N. Roberts, H. C. Harrington and other citizens of Clear Creek County praying for the passage of H. B. No. 191. entitled "A Bill for an act "to provide for holding a Term of Court "in Clear Creek County for the transaction "of Criminal business"

Mr Haynes moved
To refer to Committee on Judiciary
Carried

Reports of Standing Committees.

Committee on Printing reported as follows:

To the
President of the Senate
Your Committee to whom was referred S. B. No. 14. beg leave to report the same back to the Senate correctly printed

Respectfully
Albert Johnson

Chairman

Reading of Bills

S. B. No. 62 entitled "A Bill for an Act to "provide a Seal for the Supreme Court of "Colorado"
Read 1st time

S. B. No. 118 entitled "A Bill for an Act "to preserve the Public Health"
Read 2nd time

Mr Haynes moved.
To refer to Committee on Federal Relations
Carried

Mr Butters asked unanimous consent to present a report
Consent granted &c

Committee on Finance, Ways & Means reported as follows.
Mr President.
Your Committee to whom was referred S. B. No. 44 have had the same under consideration and report it back to the Senate with sundry amendments
(Amendments transmitted)

Alfred Butters
Chairman

Mr Ellsworth moved.

To refer S. B. No. 44 entitled "A Bill for
"an act to prescribe certain powers and
"duties of the Officers of the Executive
"Department and certain rules in relation
"to the Fiscal Affairs of the State" and
Amendments proposed by Committee on
Finance, Ways and Means, to the Committee
of the Whole

Carried

S. B. No. 135 entitled "A Bill for an act
"for the Relief of Las Animas County" —
Read 2nd time.

Mr Butters moved.
To refer to Committee on Finance, Ways
and Means

Carried

S. B. No. 14 entitled "A Bill for an Act to
"authorize Clerks of the District Court
"to appoint deputies"
Taken up.

Mr Butters moved.
That S. B. No. 14 be considered as Engrossed
Read 3d time and
Put upon its final passage
Carried.

S. B. No. 14. read 3d time and
Passed by the following vote.

Ayes. Messrs Baker, Bennet, Butters, Chesson, Ellsworth, Gansevoort, Hall, Hamill, Hamilton, Haynes, Hudson, Hill, Johnson, Maxwell, McElwain, Meginnes, Randall, Saunders and Webster — 19.

Noes. — None

Absent and Not Voting. —
Messrs. Barela, Clelland, De France, Gardner, Meyer, Rockwell and Taylor — 7.

Title agreed to. —

Mr Hamill moved. —
To take a recess until 2 P.M. —
Carried. —

So at 12 O'clock & 10 minutes the Senate took a recess. —

Afternoon Session

Senate met at 2 P.M.

Mr Rockwell asked unanimous consent to present a report

Consent granted. &

Committee on Judiciary reported as follows.

To the

President of the Senate

Your Committee to whom was referred H. B. No. 191, entitled "A Bill "for an act to provide for holding a Term "of Court in Clear Creek County for the "transaction of Criminal Business" beg leave to report the same back to the Senate with the recommendation that it be indefinitely postponed. Its provisions being in conflict with Sec. 25 of Art 5 of the Constitution

L. C. Rockwell
Chairman

Mr Rockwell moved.
To adopt the report

Mr Hamill moved.
To amend by striking out the recommendation to indefinitely postpone the Bill

Ayes & Noes called with following result

Ayes - Messrs Gaussoin, Hamill, Johnson, Maxwell, Meldrum, Randall Saunders and Webster — 8.

Noes. - Messrs Bennet, Butters, Chacon, Ellsworth, Hall, Hamilton, Haynes Henson, Hill, Moynahan, Rockwell and Webster — 11.

Absent and Not Voting —
Messrs. Barela, Bates, Clelland, De France, Gardner, Meyer, and Taylor — 7.

So the amendment was Lost. —

The question recurring on the motion to adopt the report. —
Ayes and Noes were called with following result. —

Ayes. - Messrs Bennet, Butters, Chacon, Ellsworth, Hall, Hamilton, Haynes, Henson, Hill, Moynahan, and Rockwell — 11.

Noes - Messrs Bates, Gaussoin, Hamill, Johnson, Maxwell, Meldrum, Randall, Saunders and Webster — 9.

Absent and Not Voting —
Messrs. Barela, Clelland, De France Gardner, Meyer and Taylor — 6.

So the motion was adopted.

Mr Rockwell moved
To take from the Table.
S. B. No. 124 entitled "A Bill for an Act
"concerning the Drainage of Mines, and
"the method of enforcing the cost and
"expense thereof."

also.

S. B. No. 146 entitled "A Bill for an Act
"to provide for the Drainage of Mines, and
"to regulate the Liabilities of Miners, Mine-
"Owners, and Mill Men in certain cases and
"to repeal all Territorial Acts on the sub-
"ject" - and
To refer them to Committee on Mines
and Mining.
Carried.

Mr Rockwell moved.
To indefinitely postpone H. B. No. 191 -
Carried.

Mr Ellsworth moved.
That the Senate now resolve itself into
the Committee of the Whole on S. B. No. 44.
Carried.

So the Senate went into Committee of
the Whole on S. B. No. 44, with
Mr Saunders in the Chair

The Committee of the Whole rose.
The Senate resumed its Session and
The following report was read.

Mr President

Your Committee of the Whole House have had under consideration S. B. No. 44. have made some progress and ask leave to sit again

T. O. Saunders
Chairman

Mr Butler moved
To receive report and
Grant request.
Carried.

Mr Randall moved
That the Sergeant-at-Arms be instructed to provide better ventilation for the Senate Chamber.
Carried.

Mr Hamill moved.
To take a recess of Fifteen minutes

Mr Bennett moved.
To adjourn
Division called for with following result.
Ayes. - 14
Noes. - 2

So at 5 P.M. the Senate adjourned

Journal of the Senate

January 5th 1877

Approved.

General Assembly of Colorado

Senate
First Session
Friday, January 5th 1877

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call.

Absent Messrs Barela, Clelland and Taylor

Quorum present

Prayer by the Chaplain

Journal of yesterday read, corrected and approved.

Messages from the House

State of Colorado
Chamber of the House of Representatives
Denver, Jan 4th 1877

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that Mr Morehouse having been excused from serving upon the Committee appointed under

S. C. R. No. 8. Mr Patten has been appointed upon said Committee on the part of the House.

also.

I am instructed to inform your Honorable Body that the House has adopted H. C. R. No. 15 "In relation "to a Joint Committee of the two Houses "for the consideration of all Bills introduced into either House relating "to practice" and has appointed Messrs Phelps, Helm, Lacagnite, Simmons, Wilson A.D., Irwin and McIntyre on said Committee on the part of the House. H. C. R. No. 15 is herewith transmitted.

also

I am instructed to inform your Honorable Body that the House has adopted H. J. R. No. 5 "asking an appropriation from Congress to build a military Wagon Road in Grand County." The concurrence of the Senate is respectfully requested.

Respectfully
W. B. Fellows
Chief Clerk of the House.

Petitions and Memorials

Mr Bates presented
Petitions of D. Hurd and Son, J. S. Brown and Bro. and other citizens of Denver. Praying for passage of S. B. No. 34 entitled

"A Bill for an Act to provide for Licensing Mercantile Agents"—also—
Praying for the Establishing of a Reform School or House of Correction—

Mr Baker moved—
To refer to Committee on Finance, Ways and Means—
Carried—

Mr Ellsworth presented—
Petition of J. S. Brown and Rev. Isaac Brinker and other citizens of Denver—
Praying for the indefinite postponement of S. B. No. 46 entitled "A Bill for an Act "to establish a Board of Police Commissioners in certain Cities of the First "Class"—

Mr Ellsworth moved—
To refer to Special Committee on S. B. No. 46—
Carried—

A communication from His Excellency, the Governor transmitting Report of the Board of Managers and Officers of the Penitentiary &c.—
Making sundry recommendations in connection therewith—
Received and Read—

Mr Barnett moved—

To refer Communication and Report to Committee on Penitentiary
Carried.

Reports of Standing Committees

Committee on Printing reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 38, beg leave to report the same back to the Senate correctly printed except in Sec. 6. Line 6. the word "allowed" is misspelled and the word "the" where it first occurs in Line 35, Sec. 6 should be stricken out.
Albert Johnson
Chairman

Committee on Finance, Ways and Means reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 88. have had the same ~~under~~ consideration and beg leave to report the same back to the Senate with a recommendation that it lie on the Table
also.
Your Committee to whom was referred S. B. No. 85 have had the

same under consideration and beg leave to report the same back to the Senate with the recommendation that it lie on the Table.

also.

Your Committee to whom was referred S. B. No. 152 have had the same under consideration and beg leave to report the same back to the Senate with certain amendments herewith transmitted.

also.

Your Committee to whom was referred S. B. No. 126. have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it lie on the Table.

also.

Your Committee to whom was referred S. B. No. 168 have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it lie on the Table.

Respectfully
Alfred Butters
Chairman

Committee on Federal Relations reported as follows.

Your Committee to whom was referred S. M. & J. R. No. 8 report the

same back to the Senate, with a substitute Memorial to Congress as an amendment thereto

Respectfully
H. P. Bromwell
Chairman

Committee on Incorporations reported as follows.

Your Committee to whom was referred Senate Bill No. 35. beg leave to report the same back to the Senate without amendment and recommend that the same do pass.

L. C. Ellsworth
T. O. Saunders
J. B. Hall
Eugene Teusson
L. C. Rockwell

Reading of Bills

H. J. R. No. 5 "Asking an appropriation "from Congress to build a Military Wagon Road in Grand County, Colorado" — Read 1st time

S. B. No. 38, entitled "A Bill for an "Act to provide for the exercise of the "Right of Eminent Domain" — Read 1st time.

Mr Hamill moved.

To suspend the Rules and
Take up H. C. R. No. 15" In relation to
"a Joint Committee of the Two Houses
"for the consideration of all Bills in-
"troduced into either House relating
"to Practice" ——
Carried. ——

Mr Randall moved. ——
To concur in the Resolution ——
Carried. ——

The President appointed as members
of the Joint Committee under H. C.
R. No. 15 on the part of the Senate —
Messrs Haynes, Bennett, Butters, Ham-
ill, Mannel, Henson, and Hill. ——

Mr Bennett asked to be excused from
service on the Joint Committee ——

Mr Saunders moved. ——
To excuse Mr Bennett ——

Mr Hamill moved ——
To excuse Mr Bennett and substitute
Mr Rockwell. ——

Ayes and Noes called with following
result ——

Ayes. Messrs. Bates, Butters, Chacon,
De France, Ellsworth, Gardner

Jamison. Hamill. Haynes. Hill
Johnson and Maxwell —— 12.

Noes.—Messrs. Hall. Hamilton, Henson.
Meldrum, Meyer. Moynahan, Randall. Rockwell. Saunders and Webster —— 10.

Absent and Not Voting ——
Messrs. Barela. Clelland. Bennet
and Taylor —— 4.

So Mr Bennet was excused from service on Joint Committee and ——
Mr Rockwell appointed to fill such vacancy. ——

Mr Hill asked to be excused from service on Joint Committee ——

Mr Haynes moved. ——
To excuse Mr. Hill and ——
Substitute Mr De France ——

Division called for, with following result ——
Ayes. 14 ——
Noes. 4 ——

So Mr Hill was excused from service on Joint Committee and ——
Mr De France appointed to fill such vacancy. ——

S. B. No. 62 entitled "A Bill for an act
"to provide a Seal for the Supreme Court
"of Colorado" —
Read 2nd time —
Referred to Committee of the Whole —

Mr. De France moved —
To grant Mr. Clelland leave of absence
until the 8th instant —
Carried —

Mr. Webster moved —
To lay S. B. No. 168 entitled "A Bill for
"an act concerning Estrays" on the Table
Carried —

Mr. Haynes moved —
To lay S. B. No. 126 entitled "A Bill for
"an act defining the duties of the
"Attorney General" on the Table —
Carried —

Mr. Hamill moved —
To lay S. B. No. 85 entitled "A Bill for
"an act in relation to the Auditor of
"State" on the Table —
Carried —

Mr. Hamill moved —
To lay S. B. No. 88 entitled "A Bill for
"An act relating to the State Treasurer"
On the Table —
Carried —

Mr Gardner moved.
To adopt report of Committee on Incorporations on.
S. B. No 35 entitled "A Bill for an act "to regulate the compensation of the "Mayor, Aldermen, and Trustees of Cities "and Towns"
Carried.

Mr Butler moved.
To place S. B. No. 35. on file for 1st Reading.
Carried.

Mr Ellsworth moved.
To place S. B. No. 152 entitled "A Bill for "an act to authorize the Secretary of "State to employ extra clerical assistance "upon the adjournment of the General "Assembly"
On file for 1st reading
Carried.

Mr Butler moved
To agree to amendment proposed by Committee on Federal Relations to S. M. and J. R. No. 8. "Asking Congress for a "Grant of arid Lands within the State "for purposes of Irrigation and Reclamation
Carried.

Mr Hamill moved.
To indefinitely postpone consideration of Resolution introduced by him on

yesterday, relative to appointment of Joint Committee on Practice.
Carried.

Mr Ellsworth moved.
That the Senate now resolve itself into the Committee of the Whole on S. B. No. 44, entitled "A Bill for an Act "to prescribe certain powers and duties "of the Officers of the Executive department and certain rules in relation to "the Fiscal Affairs of the State."
Carried.

So the Senate went into Committee of the Whole on S. B. No. 44 with Mr Saunders in the Chair.

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read.
Mr President
Your Committee of the Whole House have had under consideration S. B. No. 44, have made some progress and ask leave to sit again.
T. O. Saunders
Chairman

Mr Ellsworth moved.
To receive report and
To grant request.
Carried.

Mr Hamill moved.
To take a recess until 1 30 P.M.
Carried

So at 12. M the Senate took a recess.

Afternoon Session

Senate met at 1 30 P.M.

Mr Butler moved.
That the Senate now resolve itself into the Committee of the Whole on S.B. No. 44.
Carried

So the Senate went into Committee of the Whole on S.B. No 44 with Mr Henson in the Chair.

The Committee of the Whole rose and The Senate resumed its session for the purpose of receiving the following.

Message from the House.

State of Colorado
House of Representatives
Denver, Jan'y 5th 1877.

I am instructed to inform your Honorable Body that the House has passed H. B. No. 46" A Bill for "an act to provide for inflicting the "Death Penalty for the crime of murder when the party indicted shall "plead guilty" and the concurrence of the Senate is respectfully requested. H. B. No. 46. is herewith transmitted

Respectfully
W. B. Fellows
Chief Clerk of the House.

The Senate again went into Committee of the Whole on S. B. No. 44. with Mr Saunders in the Chair

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The Committee of the Whole rose. The Senate resumed its session and The following report was read.

Mr President.

Your Committee of the Whole House have had under consideration S. B. No. 44, have made sundry amendments thereto, (herewith transmitted) and have instructed me to report the same back to the Senate, with the recommendation that the proposed amendments be adopted and that the Bill as amended, be ordered engrossed

T. O. Saunders
Chairman

Mr Butters moved.
To agree to report
Carried.

Mr Ellsworth moved.
That the Senate now resolve itself into the Committee of the Whole on General File
Carried

So the Senate went into Committee of the Whole on General File with Mr Hamill in the Chair.

The Committee of the Whole rose.
The Senate resumed its Session & the following report was read.
Mr President
Your Committee of the Whole House have had the General File & have instructed me to report S. B. No. 18 entitled "A Bill for an act "to repeal an act concerning Practice in "the District & Probate Courts, approved "Feby. 4th 1876" back to the Senate with the recommendation that it be referred to the Judiciary Committee

also.

The Governors Message with the recommendations that the President refer the subject matter thereof to appropriate Standing Committees of the Senate

— also —

S. B. No. 62 entitled "A Bill for an Act "to provide a Seal for the Supreme Court "of Colorado" with the recommendation that it be referred to the Committee on Printing with orders to print.

— also —

S. B. No. 24 entitled "A Bill for an Act "relating to Bonds and Interest thereon, "heretofore issued by Counties, Cities and "Towns in aid of Organized Railroads, and "Wagon-roads, and other purposes" with the recommendation that sundry amendments made by the Committee of the Whole be adopted, the Bill and amendments ordered engrossed and the Bill placed on file for 3d reading.

— also —

Report of the Committee on Immigration, with the recommendation, that the Report and Proposed Census Bill be indefinitely postponed.

W. A. Hamill
Chairman

Mr Butler moved.
To agree to the Report.
Carried.

The President announced the following references of Subject Matter of the Governor's Message.

All that relates to State Finances, Equalization and Collection of Taxes to.—
Committee on Finance, Ways and Means.—

All that relates to the State Lands to.—
Committee on Public Lands.—

All that relates to Education and to the State University to—
Committee on Education School and University Lands.—

All that relates to Deaf mute Institute to—
Committee on State Institutions and Public Buildings.—

All that relates to Irrigation to—
Committee on Irrigation.—

All that relates to Tree Culture, Agriculture and to the Agricultural College to
Committee on Agriculture.—

All that relates to Mines, Mining and to the School of Mines to—
Committee on Mines and Mining.—

All that relates to the Codification of the Laws, to—
Joint Committee of Fourteen—

All that relates to the Board of Health

to

Committee on Federal Relations

Mr Hamill moved
To adjourn
Carried.

So at 5 P.M. the Senate adjourned.

Journal of the Senate

January 6th 1877

Approved.

General Assembly of Colorado.

Senate
First Session.
Saturday, January 6th 1877.

Senate met pursuant to adjournment—

Lieutenant Governor presiding —

Roll Call —

Absent — Messrs Clelland (Excused) Barela De France, Taylor and Webster —

Quorum present —

Prayer by the Chaplain —

Journal of yesterday read and approved —

— Petitions and Memorials —

Mr Hamill introduced —
S. M. and J. R. No. 11, "Relating to a Donation "of the Arid Lands belonging to the United States within the State of Colorado "for the purpose of endowing a School of "Mines and Metallurgy" —

— Reports of Standing Committees —

Committee on Mines and Mining reported

[illegible]

To the

President of the Senate,

Your Committee to whom was referred S. B. No. 141 beg leave to report the same back to the Senate with the recommendation that it be placed on file for 1st reading

also

Your Committee to whom was referred S. B. No 166 and S. B. No. 27, beg leave to report the same back to the Senate with the recommendation that they do lie on the Table

also

Your Committee to whom was referred S. B. No. 155 beg leave to report the same back to the Senate with the recommendation that it do lie on the table.

also

Your Committee to whom was referred S. B. No. 70, beg leave to report the same back to the Senate, with amendment.

Respectfully

W. A. Hamill

Chairman

Committee on Counties and County Lines reported as follows

To the

President of the Senate

Your Committee to whom was referred S. B. No. 139 beg leave to report the same back to the Senate with the recommendation that it be referred to the Committee on Judiciary

Respectfully
J. B. Hall
A. H. De France
Albert Johnson
James Moynahan
Wm. H. Meyer

Resolutions

Mr Rockwell introduced the following resolution

"Resolved

" That the Members of the "Committee appointed under H. C. R. "No. 15, have leave to sit during the "session of the Senate and report at any "time."

Mr Rockwell (unanimous consent being given to consider) moved

To adopt Resolution

Carried.

Mr Webster appeared and took his seat

Mr Butters moved.

To grant leave of absence to Finance

Ways & Means Committee after 11 O'clock.
Carried.

Reading of Bills

S. B. No. 35 entitled "A Bill for an Act "to regulate the Compensation of the "Mayor, Aldermen and Trustees of Cities "& Towns"
Read 1st time.

Mr Ellsworth moved
To refer to Committee on Printing with order to print
Carried.

S. B. No. 152 entitled "A Bill for an Act "to authorize the Secretary of State to "employ extra Clerical Assistance to "procure the early publication of the "Laws"
Read 1st time

Mr Ellsworth moved
To refer to Committee on Printing with order to print.
Carried

S. M. & J. R. No. 8. "Asking Congress for "Grant of Arid Lands for Irrigating "purposes".
Read 1st time.

H. B. No. 46. entitled "A Bill for an
"Act to provide for inflicting the death
"Penalty for the Crime of Murder when
"the party indicted shall plead guilty"
Read 1st time

H. J. R. No. 5 "Asking an appropriation
"from Congress to build a Military
"Wagon Road in Grand County"
Read 2nd time.

Mr Webster moved.
To refer to Committee on Federal
Relations
Carried.

S. B. No. 38. entitled "A Bill for an Act
"to provide for the exercise of the Right
"of Eminent Domain"
Read 2nd time and
Referred to Committee of the Whole.

Mr Rockwell moved.
To adopt report of Committee on Mines
and Mining and
Lay on the Table
S. B. No. 153 entitled "A Bill for an Act
"to appropriate money out of the State
"Treasury to carry on the School of
"Mines at Golden"
Carried.

Mr Rockwell moved.

To adopt report of Committee on Mines and Mining and

Lay on the Table.

S. B. No. 27 entitled "A Bill for an Act "to abolish the Office of Territorial Assay-"er, and to repeal all acts and parts "of acts regarding the establishing and "maintaining such Office and Officers."

and

S. B. No. 166. entitled "A Bill for an act "concerning an Assay Office"

Carried

Mr Maxwell asked unanimous consent to present a report.

Consent granted and

Committee on Engrossment reported as follows.

To the

President of the Senate

Your Committee to whom was referred S. B. No. 24. beg leave to report the same back to the Senate correctly engrossed.

Respectfully
J. P. Maxwell
Chairman.

Mr Hamilton asked unanimous consent to present a report

Consent granted and

Committee on Enrollment (Joint) reported as follows.

To the

President of the Senate.

The Joint Committee on Enrollment have compared H. B. No. 4, with the engrossed copy, find the same correctly enrolled, and report it to the Senate, signed by the Speaker of the House.

Respectfully

W. B. Hamilton

Chairman on the part of the Senate, of the Joint Committee on Enrollment.

Mr De France appeared and took his seat.

The Title was read and

The President announced the signing of H. B. No. 4, entitled "A Bill for an Act "to repeal Sections Sixty-seven and Sixty-eight "of Chapter Fifty of the Revised Statutes of "Colorado, relating to the attachment of the "body, and issuing executions against the "body of a defendant in Civil actions, and "to enact other provisions in lieu thereof, "and to release all persons now under arrest or confined in Jails in virtue of "such process issued in Civil actions".

Mr Rockwell moved.

To adopt report of Committee on Mines and Mining on

S. B. No. 70 entitled "A Bill for an Act "to repeal an Act entitled an Act Con-

"erning costs in Certain Cases
Carried

Mr Morgnalum moved
To adopt report of Committee on Mines & Mining on
S. B. No. 141, entitled "A Bill for an Act "relating to the issuing of Executions in "case of trespass to Lode, Mining & Placer "claims & the one taken therefrom"
Carried.

Mr Morgnalum moved.
To adopt report of Committee on Counties & County Lines on
S. B. No. 139, entitled "A Bill for an Act "to repeal all existing Laws concerning "Jurors in the district Courts, and to "enact other provisions in lieu thereof."
Carried

Mr Haynes asked unanimous consent to present a report
Consent granted &

Committee on Elections reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 10 beg leave to report the same back to the Senate without amendment

also.

Your Committee to whom was referred S. B. No. 11. beg leave to report the same back to the Senate without amendment

Respectfully
S. B. A. Haynes
Chairman

Mr Haynes moved.
To refer S. B. No. 10. entitled "A Bill for "an act to extend the Right of Suffrage "to Women of Lawful Age, and otherwise "qualified according to the provisions "of the Constitution" to Committee on Printing with orders to print.
Carried

Mr Haynes moved
To lay S. B. No. 11. entitled "A Bill for "an act to divide the Senators Elected "to the First Legislative Assembly of the "State into two classes &c to provide the "mode of deciding by lot the time "for which Senators of each class shall "hold" - on the Table.
Carried.

Mr Ellsworth moved
That the Senate resolve itself into Committee of the Whole on S. B. No. 38.
Carried.

So the Senate went into Committee of the Whole on S. B. No. 38 — with Mr Haynes in the Chair

The Committee of the Whole rose. The Senate resumed its Session and The following report was read.

Mr President

Your Committee of the Whole House have had under consideration S. B. No. 38, have made some progress, and ask leave to sit again —

S. B. A. Haynes
Chairman

Mr Webster moved
To receive report and
Grant request.
Carried.

Mr Hamill moved.
To take a recess until 2 P. M.
Carried.

So at 12 O'clock and 10 minutes the Senate took a recess.

Afternoon Session.

Senate met at 2 P.M.

Mr Hamilton asked unanimous consent to present a report
Consent granted &c

Committee on Enrollment (Joint) reported as follows
To the
President of the Senate
The Joint Committee on Enrollment presented House Bill No. 4. to His Excellency, the Governor, for his approval, at 12³⁰ O'clock P.M. January 6th 1877
Respectfully
W. B. Hamilton
Chairman on the part of the Senate of the Joint Committee on Enrollment

Mr Bates asked unanimous consent to present a report
Consent granted &c

Committee on State Institutions and Public Buildings reported as follows.
To the
President of the Senate.
Your Committee to whom was referred S. B. No 115 and S. B. No. 83 beg

leave to report the same back to the Senate, with the recommendation that they be laid on the table, the provisions of the same being covered by other bills

Respectfully
J. E. Bates
J. P. Maxwell
S. B. A. Haynes

Mr Haynes moved
To adopt report of Committee on State Institutions and Public Buildings and Lay on the Table
S. B. No. 83 entitled "A Bill for an act "relating to Agricultural College"
and
S. B. No. 115 entitled "A Bill for an act "relating to Powder Houses"
Carried

Mr Ellsworth asked unanimous consent to take up S. B. No. 24 and place the same on 3d reading and final passage
Consent granted

S. B. No. 24 entitled "A Bill for an "act relating to Bonds and interest "thereon, heretofore issued by Counties "Cities and Towns"
Read 3d time and
Passed by the following vote

Ayes,—Messrs. Baker, Bennett, Chacon, Ellsworth, Gardner, Garrison, Hall, Hill, Johnson, McCandless, Meyer, Morgenthau, Randall, Saunders and Webster ——— 15

Noes. ——— None

Absent and Not Voting ———
Messrs. Barela, Butters, Cleland, De France, Hamill, Hamilton, Haynes, Heivers, Maxwell, Rockwell, and Taylor ——— 11

Mr. Ellsworth moved. ———
To amend the title by striking out all after the word "Towns" ———
Carried. ———

Title agreed to, as amended. ———

Mr. Webster asked unanimous consent to take up and read 1st time. ———
S. B. No. 70 entitled "A Bill for an Act "to repeal an act entitled an act "concerning costs in certain cases approved February 11th 1876. ———
S. M. and J. R. No. 11 "Relating to a donation of the "Arid Lands, belonging to the United "States within the State of Colorado, for "the purpose of endowing a School of Mines "and Metallurgy" — and ———
S. B. No. 141, entitled "A Bill for an Act

"relating to the issuing of Executions
"in case of Trespass to Lode, Mining
"and Placer Claims and the ore taken there-
"from."
Consent granted.

S. B. No. 70 read 1st time

S. B. No. 141 read 1st time

S. M. and J. R. No. 11 read 1st time

Mr Saunders moved
To refer S. M. and J. R. No. 11 to Committee
on Federal Relations
Carried.

Mr Gaudreau asked unanimous consent
to present a report
Consent granted and

Committee on Agriculture and Man-
ufactures reported as follows
To the
President of the Senate
Your Committee to whom
was referred S. B. No. 30 beg leave to re-
port the same back to the Senate
without amendment
Respectfully
J. F. Gaudreau
Chairman

S. B. No. 30. entitled "A Bill for an Act "for the protection of wild game and "Insectivorous Birds"
Read 1st time

Mr Bennett asked unanimous consent to present a report
Mr Randall objected.

Mr Bennett moved.
To suspend the rules for the purpose of presenting a report
Carried.

Committee on Federal Relations reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 104 beg leave to report the same back to the Senate with the recommendation that it be read 1st time and re-referred to Committee on Federal Relations
Respectfully
H. P. Bennett
Chairman

S. B. No. 104 entitled "A Bill for an Act "concerning Official Seals"
Read 1st time.

Mr Bennett moved.

To re-refer S. B. No. 104, to Committee on Federal Relations

Carried.

Mr. Morgan asked unanimous consent to present a report.

Consent granted &c.

Committee on Federal Relations reported as follows.

To the

President of the Senate

Your Committee to whom was referred S. B. No. 31, beg leave to report the same back to the Senate with the recommendation that it be read 1st time and re-referred to Committee on Federal Relations

Respectfully

James Morgan

Of Committee on Federal Relations

S. B. No. 31 entitled "A Bill for an Act "to provide for the establishment of a "Fiscal Agency for the State of Colorado, "in the City of New York, and prescribing "the duties of Officers in relation thereto"

Read 1st time

Mr. Morgan moved

To re-refer S. B. No. 31, to Committee on Federal Relations

Carried.

Mr Brumt asked unanimous consent to present a report

Consent granted

Committee on Federal Relations reported as follows

To the

President of the Senate

Your Committee to whom was referred S. B. No. 97. beg leave to report the same back to the Senate with the recommendation that it be read 1st time and be re-referred to Committee on Federal Relations

Respectfully
H. P. Brumt
Chairman

S. B. No. 97, entitled "A Bill for an Act "concerning the receiving of money from "the United States of America"

Read 1st time

Mr Brumt moved.

To re-refer S. B. No. 97. to Committee on Federal Relations

Carried.

Mr Meyireken moved.

To adjourn until 10 am. on Monday

Carried.

So at 3[30] P.M. the Senate adjourned

Journal of the Senate

January 8th 1877.

Approved.

General Assembly of Colorado

Senate
First Session
Monday, January 8th 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding.

Roll Call

Absent - Messrs Barela, Clelland, DeFrance
Hamilton Hill, Rockwell and
Taylor

Quorum present.

Prayer by the Chaplain

Mr Butters moved
To grant Messrs Hamilton and Hill leave
of absence for morning session.
Carried.

Mr Gaussoin moved
To grant Mr Clelland leave of absence
for to-days session.
Carried.

Journal of Saturday, Jany. 6th read and
approved.

Mr De France appeared & took his seat.

Mr Randall moved,
That the Judiciary Committee be instructed to report on S. B. No. 106 entitled "A Bill for an Act to provide for the discontinuance or change of time for holding "District Courts in the several Counties "of the State of Colorado" at 2 P. M. to-day.
Carried.

Reports of Standing Committees

Committee on Finance, Ways & Means, reported as follows.

To the
President of the Senate
Your Committee to whom was referred H. B. No. 33, have had the same under consideration and beg leave to report the same back to the Senate without amendment.

Respectfully
Alfred Butters
Chairman.

Committee on Stock reported as follows
To the
President of the Senate
Your Committee to whom was referred S. B. No. 162 beg leave to report the same back to the Senate with the recommendation that it be laid

upon the table

also

Your Committee to whom was referred S. B. No. 163 beg leave to report the same back to the Senate, with the recommendation that it be laid upon the table.

Respectfully

Wm H. Meyer

Chairman.

Mr. Haynes moved.
To adopt reports of Committee on Stock & Lay on the Table.
S. B. No. 162 entitled "A Bill for an act "concerning the destruction of Wild Animals"

and

S. B. No. 163 entitled "A Bill for an act "concerning Stock"
Carried

Committee on Agriculture & Manufactures reported as follows.
To the

President of the Senate

Your Committee to whom was referred S. B. No. 48, have had the same under consideration, beg leave to report the same back to the Senate without amendment and recommend that it be placed on file for first reading

Respectfully

J. F. Gardner

Chairman.

Mr Butler moved.
To agree with Report of Committee on Agriculture & Manufactures on S.B. No. 48 — Carried.

Messrs Hamilton & Hill appeared and took their seats.

Reading of Bills

S.B. No. 48 entitled "A Bill for an Act "to encourage the Growth of Timber & "Fruit Trees".
Read 1st time.

S.B. No. 70 entitled "A Bill for an Act "to repeal an act entitled an act "concerning Costs in Certain Cases, Approved "February 11th 1876".
Read 2nd time.

Mr Hamill moved.
To refer to Committee on Printing with orders to print.
Carried.

S.B. No. 141, entitled "A Bill for an "Act relating to the issuing of Execu-"tions in case of Trespass to Lode Mining "& Placer claims and the Ore taken there-"from".

Read 2nd time

Mr Hamill moved.
To lay S. B. No. 141 on the Table
Carried.

Mr Webster moved.
To grant Mr Rockwell leave of absence for to-days session.
Carried.

S. M. & J. R. No. 8. "Asking Congress for a "grant of Arid Lands for Irrigating purposes"
Read 2nd time

Mr Brewick moved
To refer S. M. & J. R. No. 8, to Committee on Federal Relations
Carried

H. B. No. 46 entitled "A Bill for an act "to provide for inflicting the Death Penalty for the Crime of Murder, when the "party indicted shall plead guilty" —
Read 2nd time

Mr Hamill moved.
To refer H. B. No. 46 to Committee on Judiciary
Carried.

H. B. No. 33, entitled "A Bill for an act

"for the relief of Robt. Y. Force of Arapa-
"hoe County"

Read 3rd time.

Mr Butler moved.
To postpone further action on H. B. No. 33
until to-morrow
Carried.

Mr Butler moved
To refer S. B. No 30 "An act for the pro-
"tection of Wild Game and Insectivorous Birds"
to Committee on Printing with order to print.
Carried.

Mr Ellsworth moved.
To request the Chairman of the Committee
on Judiciary to leave all Bills referred
to said Committee in the hands of the
balance of the Committee during his
absence
Carried.

Mr Haynes moved.
That Mr Webster be added to the Com-
mittee on Judiciary
Carried.

Mr Hamill asked unanimous consent
To introduce S. J. R. No 9 and
To consider the same at this time
Consent granted and

Mr Hamill introduced
S.C.R. No. 9. "In relation to meeting of
"Committee of Fourteen on H.B. No. 87."

Mr Hamill moved
To adopt S.C.R. No. 9.
Carried.

Mr Butler moved
That the Senate now resolve itself
into the Committee of the Whole on
General File
Carried

So the Senate went into Committee of
the Whole, on General File with
Mr Butler in the Chair.

The Committee of the Whole rose.
The Senate resumed its session ^{and}
The following report was read.
Mr President
Your Committee of the Whole
House have had under consideration
S.B. No 38, entitled "A Bill for an Act
"to provide for the exercise of the Right
"of Eminent Domain", have made some
progress and ask leave to sit again.
Alfred Butler
Chairman

Mr Ellsworth moved
To receive report ^{and}

To grant request
Carried.

Mr Ellsworth moved,
To take a recess until 2 P.M.
Carried.

So at 12 M. the Senate took a recess

Afternoon Session

Senate met at 2 P.M.

Committee on Judiciary reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 106 beg leave to report the same back to the Senate, without amendment and recommend that it be placed on file for first reading
Respectfully
H. P. Brunt Esq.
S. B. A. Haynes of Committee on Judiciary

Mr Haynes moved
To suspend the rules &c
Read S. B. No. 106 first time
Carried

S. B. No. 106 entitled "A Bill for an
"Act to provide for the discontinuance or
"change of time for holding District
"Courts in the several Counties of the
"State of Colorado"
Read 1st time

Mr Butler moved
That the Senate now resolve itself
into the Committee of the Whole on
General File
Carried.

So the Senate went into Committee
of the Whole with
Mr Butler in the Chair

The Committee of the Whole rose.
The Senate resumed its session &c
The following report was read.
Mr President
Your Committee of the Whole
have had under consideration S. B. No. 38
and recommend that Sec. 20 be referred
to the Judiciary Committee, and also
have made several amendments to the
other sections of the bill which they
recommend be agreed to.

Alfred Butters
Chairman

Mr Maxwell asked unanimous consent to present a report
Consent granted — &c

Committee on Engrossment reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 44 beg leave to report the same back to the Senate correctly engrossed.
J. P. Maxwell
Chairman

Mr Johnson asked unanimous consent to present a report
Consent granted &c

Committee on Printing reported as follows.
To the
President of the Senate
Your Committee to whom was referred Senate Bill No. 47 beg leave to report the same back to the Senate without amendment and recommend that it be placed on file for first reading
also

Your Committee to whom was referred Senate Bills No. 114, 159 and 167 beg leave to report the same back to the Senate and recommend that they lie upon the table

also

Your Committee to whom was referred Senate Bills No. 79 and No. 54 beg leave to report the same back to the Senate without amendment and recommend that they be placed on file for first reading

Respectfully
Albert Johnson
Chairman

Mr Randall asked unanimous consent to present a report
Consent granted and

Committee on Public Lands reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. J. R. No. 6 beg leave to report the same back to the Senate, with the recommendation that it be read 1st and 2nd times and re-referred to Committee on Public Lands

Respectfully
E. S. Randall
Chairman

Mr Butler moved,
To agree to report of Committee of the Whole on S.B. No. 38 ——
Carried ——

Mr Hamill moved, ——
To adopt reports of Printing Committee whereby it was recommended ——
To lay on the Table ——
S.B. No. 114, entitled "A Bill for an Act "concerning the Publication of Laws"; ——

S.B. No. 159 entitled "A Bill for an Act "relating to printing and publishing Laws" - and

S.B. No. 167 entitled "A Bill for an Act "concerning printing the Laws of Col-"orado" - and

To place on file for 1st reading ——
S.B. No. 54, entitled "A Bill for an "Act to provide for the public printing "and publishing and distribution of the "Laws" ——

S.B. No. 47, entitled "A Bill for an Act "to provide for the printing of the Con-"stitution of the United States, the "Declaration of Independence, the Ena-"bling Act and Constitution of the State "together with all the Laws of this "State in the most convenient and "compact form, with an index to the Same"-

and

S. B. No. 79 entitled "A Bill for an
"Act to provide for Publication and Dis-
"tribution of Official Reports".
Carried.

Mr Randall moved.
To adopt report of Committee on
Public Lands
Whereby it was recommended
To place on file for 1st and 2nd reading
S. J. R. No. 6 "Praying Congress to gradu-
"ate the price of Public Lands in the
"State of Colorado not susceptible of ir-
"rigation"
Carried.

Mr Hamill moved.
To suspend the rules and
Read all bills on file for 1st reading
Carried.

S. B. No. 47 read 1st time

S. B. No. 54 read 1st time

S. B. No. 79 read 1st time

S. J. R. No. 6 read 1st time

Mr Hamill asked unanimous consent
To take up S. B. No. 44
Consent Granted and

S. B. No. 41 entitled "A Bill for an Act "to prescribe certain powers and duties "of the Officers of the Executive Department, and certain rules in relation "to the Fiscal Affairs of the State" ———

Taken up ———

Read 3d time &c ———

Passed by the following vote ———

Ayes. - Messrs Bennett, Butters, Cleacen, De France, Ellsworth, Gardner, Hall, Hamill, Henson, Hill, Johnson, Maxwell, Meldrum, Meyers, Moynahan, Randall, Saunders and Webster ——— 18

Noes. - Mr Gaussoin ——— 1

Absent and Not Voting

Messrs Baxter, Bates, Clelland, Hamilton, Haynes, Rockwell and Taylor ——— 7

Title agreed to. ———

Mr De France moved ———

To grant Mr Clelland leave of absence until Wednesday ———

Carried. ———

Mr Hamill moved ———

To adjourn ———

Carried. ———

So at 4^30 P.M. the Senate adjourned.—

Journal of the Senate

January 9th 1877

Approved.

General Assembly of Colorado

Senate.
First Session
Tuesday, January 9th 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call.

Absent — Messrs. Barela, Bates, De France, Meldrum, Taylor and Webber.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Reports of Standing Committees

Committee on Finance Ways and Means reported as follows.

To the
President of the Senate.
Your Committee to whom was referred S. B. No. 77. beg leave to report the same back to the Senate with certain amendments.

Respectfully

Alfred Butters
Chairman.

Mr Butters moved
To agree to report and
Place S.B. No. 77 on file for 1st reading
Carried.

Committee on Agriculture and Manufactures reported as follows
To the
President of the Senate
Your Committee to whom was referred S.B. No. 32 beg leave to report the same back to the Senate without amendment and recommend that it be placed on file for 1st reading
Respectfully
J. F. Gardner
Chairman

Mr Butters moved
To agree to report
Carried.

Mr Haynes introduced
Senate Resolution No. 10. "To divide the Senators into Two Classes and to determine "by Lot who shall hold for four years "and who shall hold for two years"

Reading of Bills

S. B. No. 77 entitled "A Bill for an Act
"concerning Interest
Read 1st time

S. B. No. 32, entitled "A Bill for an Act
"to establish a State Board of Agriculture
"and to define its duties"
Read 1st time

Messrs Meldrum and De France appeared
and took their seats

Mr Meldrum moved
To refer S. B. No. 32 to Committee on Agri-
culture and Manufactures
Carried

S. B. No. 48 entitled "A Bill for an Act
"to encourage the Growth of Timber and
"Fruit Trees"
Read 2nd time

Mr Gardner moved
To refer to Committee on Printing with
orders to print
Carried

S. B. No. 47 entitled "A Bill for an Act
"to provide for the printing of the Constitution
"of the United States, the Declaration of
"Independence, the Enabling Act and Con-
"stitution of the State, together with all
"the Laws of this State, in the most con-

"venient and compact form, with an in-
"dex to the same
Read 2nd time

Mr Johnson moved.
To refer to Committee on Federal Rela-
tions
Carried

S. B. No. 79. entitled "A Bill for an act
"to provide for publication and distribu-
"tion of Official Reports"
Read 2nd time

Mr Johnson moved
To refer to Committee on Printing with
order to print
Carried

S. B. No. 106 entitled "A Bill for an
"Act to provide for the discontinuance or
"change of time for holding District
"Courts in the several Counties of the
"State of Colorado"
Read 2nd time

Mr Randall moved
To refer to Committee on Judiciary
Carried

S. J. R. No. 6 "Praying Congress to gradu-
"ate the price of Public Lands in the State
"of Colorado not susceptible of irrigation"

Read 2nd time and
Referred to Committee of the Whole

S. B. No. 54 entitled "A Bill for an act "to provide for the Public Printing and "Publishing and distribution of the same" —
Read 2nd time.

Mr Johnson moved
To refer to Committee on Printing with orders to print
Carried

Mr Randall asked unanimous consent to present a report
Consent granted and

Committee on Public Lands reported as follows.
To the
President of the Senate
Your Committee to whom was referred Senate Bills No. 160, 117, and 110 beg leave to report the same back to the Senate with the recommendation that the same be laid on the table
Respectfully
E. S. Randall
Chairman

Mr Maxwell moved.
To adopt report of Committee on Public Lands whereby it was recommended

To lay on the Table

S. B. No. 110, entitled "A Bill for an Act "relating to Surveys"

S. B. No. 160 entitled "A Bill for an Act "relating to Public Lands"

and

S. B. No. 117, entitled "A Bill for an Act "prescribing the duties and powers of the "State Board of Land Commissioners"
Carried.

Mr Hamill asked unanimous consent to present a report
Consent granted and

Committee on Mines and Mining reported as follows
To the
President of the Senate
Your Committee to whom was referred S. B. No. 147 beg leave to report the same back to the Senate, with the recommendation that it be placed on file for 1st reading.
Respectfully
W. A. Hamill
Chairman

Mr Ellsworth moved.
To adopt the Report
Carried.

Mr Webster appeared and took his seat.

Mr Ellsworth asked unanimous consent to present a report.
Consent granted &c

Committee on Judiciary reported as follows,
To the
President of the Senate
Your Committee to whom was referred S.B. No. 102 "Concerning "Courts of Justices of the Peace" beg leave to report the same back to the Senate with the recommendation that the same be read
Respectfully
L. C. Rockwell
Chairman

Mr Webster moved.
To adopt report
Carried

Mr Ellsworth moved.
To suspend the rules &c
Read all Bills on file for 1st reading
Carried.

S.B. No. 147, entitled "A Bill for an act "to provide for the proper representation "of the Products & Manufactures of the

"State of Colorado at the Paris Ex-
"position in the year A.D. 1878
Read 1st time

S. B. No 102 read 1st time.

Mr Ellsworth asked unanimous con-
sent to present a report
Consent granted — E'd

Committee on Judiciary reported
as follows
To the
President of the Senate
Your Committee to whom
was referred S. B. No. 175 beg leave to re-
port the same back to the Senate
with the recommendation that it be
read the 1st and 2nd time and again referred
to the Committee on Judiciary
Respectfully
L. C. Rockwell
Chairman

Mr Ellsworth moved
To adopt report of Committee on Judi-
ciary on
S. B. No. 175, entitled "A Bill for an act
"relating to Criminal Jurisprudence"
Carried.

Mr Garrison moved
To take a recess until 2 P.M.

Carried

So at 11[55] a.m. the Senate took a recess.

Afternoon Session

Senate met at 2 P.M.

Messrs Barela and Baker appeared and took their seats.

Mr Ellsworth moved
To grant Mr Butler leave of absence for remainder of to-days session.
Carried

Committee on Elections reported as follows.
To the
President of the Senate:
The Standing Committee of the Senate on Elections to whom was referred the contested Election case pending in the Senate for a seat in the Senate from the 7th Senatorial District in which the Hon A. H. DeFrance is the sitting Senator and Hon Joseph T. Boyd is contestant, beg leave to report that the Committee have taken

the matter into consideration have taken the testimony of witnesses produced by both parties: and find the following facts to be proven, affecting the right to the seat, namely —

We find from the canvass made by the Board of State Canvassers who canvassed all the returns made from said district except the Platte Precinct that there were polled for Hon A. H. De France in said District 565 votes and for Hon Joseph T. Boyd 569 votes beside the votes polled in said Platte Precinct —

The Boards of County and of State Canvassers did not estimate the votes polled in Platte Precinct because the Judges of Election of the Precinct did not state in the returns the Offices for which the votes were polled —

The Committee had the ballot box from said Precinct produced before them with its contents and the proof of its not having been tampered with being satisfactory, they opened the box and counted the votes polled for the said parties as found therein, respectively, and ascertained that there were 22 votes polled in said Precinct for Hon Joseph T. Boyd and 15 Votes for the Hon A. H. De France —

The Committee also obtained the ballot boxes and counted the votes polled for the said parties respectively in the

Precincts of Golden and Mormison in said District for the Office of Senator at the last Election and ascertained by such count that in the Precinct of Golden aforesaid Hon A.H. De France received 222 Votes for said Office and Joseph T. Boyd 220 votes and in said Mormison Precinct that said Hon A.H. De France received 43 Votes and the said Joseph T. Boyd 15 Votes ——

To recapitulate, ——

We find the County Board of Canvassers certified that A. H. De France received in all the precincts of the district except Platte Precinct 565 Votes and Joseph T. Boyd received 559 Votes Thus certifying a balance in favor of A.H. De France of 6 Votes, But in certifying the vote from Golden and Mormison Precincts they made a mistake of one vote in Golden and two votes in Mormison in favor of Joseph T. Boyd as revealed by the count made by the committee in those precincts being three votes which should be added to A.H. De France's majority as certified by the State Board (3 Votes) giving A.H. De France in the district without Platte Precinct a majority of 9 Votes And in Platte Precinct Joseph T. Boyd received a majority of 7 Votes leaving in the Whole District a majority of 2 Votes for A. H. De France ——

It was also found to the satisfaction of the Committee that one Henry Miller of Golden Precinct, living on Arapahoe Street in Golden, was registered and vouched for by one John A. Hoagland according to law and that another Henry Miller, living on another Street and who was not registered voted at the election on account of the said registry vouched for by said Hoagland and that he so voted for A.H. De France for the office of State Senator and that Henry Miller who was registered as aforesaid, was not allowed to vote at said Election because the other Henry Miller had voted by virtue of said registry and it was also shown that he would have voted for said Joseph T. Boyd for said Office had he been allowed to vote.

It was thought by the Committee that the vote so wrongfully polled for A.H. De France should not be counted but as there was no vote polled by the said Henry Miller who was registered, that not being polled it could not be counted, notwithstanding if he had not been wrongfully prevented from voting he would have polled a vote for Joseph T. Boyd. Several witnesses testified that they voted for Boyd, but in a precinct other than where they resided and

others testified to having voted for
Joseph T. Boyd, being foreigners and
not having been naturalized —
The Committee are of opinion from
the testimony that the Hon A.H. De-
France is entitled to his seat, and
recommend that the Petition of the
Contestant be dismissed —
The testimony is herewith reported
to the Senate —

Respectfully Submitted —
S.B.A. Haynes —
Chairman

Mr Hamill moved
To lay report on Table, for the Present —
Carried —

Mr Rockwell asked unanimous con-
sent to present certain reports —
Consent granted &c —

Committee on Judiciary reported
as follows —
To the
President of the Senate —
Your Committee to whom
was referred S. B. No. 106, beg leave to
report the same back to the Senate
with the recommendation that it lie
upon the Table —
— also —
Your Committee to whom

was referred S. B. No. 18, beg leave to report the same back to the Senate with the recommendation that it do pass

also,

Your Committee to whom was referred S. B. No. 38, beg leave to report the same back to the Senate with amendment

Respectfully
L. C. Rockwell
Chairman

Mr Randall moved
To adopt report of Committee on Judiciary on S. B. No. 106, to
Lay on Table and
To make consideration thereof a Special Order for Wednesday, Jan. 10 1877 at 11 a.m.
Carried.

Mr Rockwell moved
To adopt report of Committee on Judiciary on
S. B. No. 38 entitled "A Bill for an act "to provide for the exercise of the Right "of Eminent domain"
Proposing a certain amendment thereto
Carried.

Mr Rockwell moved.
To adopt report of Committee on

Judiciary on.
S. B. No. 18, entitled "A Bill for an "Act to repeal an act concerning "penalties in the District and Probate "Courts, approved Feby. 4th 1876." Recommending that the Bill do pass.
Carried.

Mr Ellsworth moved.
To refer S. B. No. 38, to Committee on Engrossment
Carried.

Mr Hamill asked unanimous consent to present a report
Consent granted.

Committee on Mines and Mining reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 67, beg leave to report the same back to the Senate with sundry amendments and recommend that the bill be placed on file for 3d reading and final passage.
Respectfully
W. A. Hamill
Chairman

Mr Randall asked leave of absence for Committee on Public Lands to

consider

S. B. No. 43, entitled "A Bill for an "Act to provide for the selection, Location, Appraisal, Sale and Leasing of "State Lands"

Consent granted

Mr Webster moved

To refer

S. B. No. 67 entitled "A Bill for an act "to facilitate the recovery of ore unlawfully taken by theft or trespass; to "regulate the sale and disposition of "ore, and for the better protection of "mine owners"

To Committee of the Whole

Carried.

S. B. No. 175 entitled "A Bill for an "Act relating to Criminal Jurisprudence

Read 1st time

Mr Hamill asked unanimous consent to present a report

Consent granted—

Committee on Judiciary reported as follows

To the

President of the Senate

Your Committee to whom was referred S. B. No. 151 beg leave to report the same back to the Senate with the

recommendation that it be read the 1st and 2nd time and again referred to Committee on Judiciary

Respectfully
L. C. Rockwell
Chairman.

Mr Hamill moved
To adopt report
Carried.

Mr Hamill moved
To read 1st time
S. B. No. 151 entitled "A Bill for an Act "to provide for the Partition of Real Estate"
Carried

S. B. No. 151 read 1st time

Mr Ellsworth moved
To grant Messrs Hill and Gaussoin leave of absence for remainder of to-days session
Carried.

Mr Ellsworth asked unanimous consent to present a report.
Consent granted and

Committee on Judiciary reported as follows,
To the
President of the Senate
Your Committee to whom was

referred S. B. No 125 beg leave to report the same back to the Senate, with the recommendation that it do pass

Respectfully
L. C. Rockwell
Chairman

Mr Ellsmore then moved
To adopt report and place
S. B. No. 125 entitled "A Bill for an act to
"regulate the conditions of appeal Bonds and
"Supercedeas Bonds where the Judgment or
"Decree complained of, is for the recovery
"of Land, or the possession thereof"
On file for 1st reading
Carried

Mr Ellsworth moved
To adjourn
Carried

So at 4[45] P.M. the Senate adjourned

Journal of the Senate

January 10th 1877.

Adjourned.

General Assembly of Colorado

Senate
First Session
Wednesday, January 10th 1877.

Senate met pursuant to adjournment—

Lieutenant Governor presiding—

Roll Call—

Absent Messrs De France & Taylor—

Quorum present—

Prayer by the Chaplain—

Mr Barela moved—
To grant Mr Taylor indefinite leave
of absence—
Carried—

Journal of yesterday read & approved—

—Reports of Standing Committees—

Committee on Mines & Mining reported
as follows—
To the President of the Senate—
Your Committee to whom was
referred S. B. No. 69 beg leave to report the
same back to the Senate with the recom—

mendation that it be placed on file
for 1st Reading

Respectfully
N. A. Hamill
Chairman

Committee on Printing reported as follows.
To the
President of the Senate
Your Committee to whom was referred Senate Bills No 48. 70 & 79 beg leave to report the same back to the Senate correctly printed
also
Your Committee to whom was referred S. B. No. 86 beg leave to report the same back to the Senate correctly printed except that in the title to Sec. 22. the word "for" should be "of"
Albert Coleman
Chairman

Committee on Stock reported as follows.
To the
President of the Senate
Your Committee to whom was referred S. B. No. 55 beg leave to report the same back to the Senate and recommend its passage.
also

Your Committee to whom was referred S. B. No. 36, beg leave to report the same back to the Senate with amendment and recommend that the Bill do pass as amended.

Respectfully
Wm H. Meyer
Chairman

Committee on Agriculture and Manufactures reported as follows.

To the
President of the Senate

Your Committee to whom was referred S. B. No. 32 beg leave to report the same back to the Senate with sundry amendments and recommend that it be placed on file for 2nd reading.

Respectfully
J. F. Gardner
Chairman

Committee on Federal Relations reported as follows.

To the
President of the Senate

Your Committee to whom was referred S. J. R. No. 1 beg leave to report the same back to the Senate with the recommendation that it be referred to the Printing Committee in order that it be printed

Respectfully
James Magrahan
Of Committee on Federal Relations

Also

Your Committee to whom was referred S. M. and J. R. No. 8. for grant of lands for purposes of irrigation, report the same back to the Senate with sundry amendments and recommend its passage.

Respectfully
H. P. Bennet
Chairman

Mr Webster moved
To adopt report of Committee on Mines and Mining on S. B. No. 69
Carried.

Mr Webster moved
To adopt report of Committee on Printing on S. B. No. 86
Carried.

Mr Webster moved
To adopt reports of Committee on Stock and place Senate Bills No. 36 and 55 on file for 1st reading
Carried.

Mr McAlvain moved
To adopt report of Committee on Agriculture and Manufactures on S. B. No. 32

Carried

Mr Montgomery moved.
To adopt report of Committee on Federal Relations on
S. J. R. No. 1 "Asking Congress to pass a
"law granting Ninety Thousand acres of
"Land to the Agricultural College of the
"State of Colorado"
Carried.

Mr De France appeared and took his seat.

Reading of Bills

S. B. No. 53 entitled "A Bill for an Act
"to compel owners of Coal Mines to
"Fence their Slack Piles and Abandoned
"Pits"
Read 1st time

S. B. No. 36 entitled "A Bill for an Act
"to prohibit the herding of Sheep in
"the neighborhood of Cities and Towns"
Read 1st time

S. B. No. 125 entitled "A Bill for an Act
"to regulate the conditions of Appeal
"Bonds and Supersedeas Bonds when the
"Judgment or decree complained of
"is for the recovery of Land, or the pos-
"session thereof"
Read 1st time

S. B. No. 69, entitled "A Bill for an act
"to promote the mining, Milling and Reducing
"of Ore in the State of Colorado, and
"for the condemnation of Surface Ground
"necessary thereto"
Read 1st time

Special Order.

The hour for the Special Order on
S. B. No. 116 entitled "An Act to provide
"for the discontinuance or change of time
"for holding district Courts in the several
"Counties of the State of Colorado"
having arrived
Mr Randall moved
To dispense with further proceedings
under the Special Order for the Present
Carried.

S. B. No. 86 entitled "A Bill for an Act
"to fix and regulate the Fees of County,
"Precinct and other Officers"
Read 1st time

S. B. No 32 entitled "A Bill for an act
"to establish a State Board of Agriculture
"and to define its duties"
Read 2nd time

Mr McAleer moved
To refer to Committee on Printing with
order to print

Carri.

S. B. No. 77, entitled "A Bill for an Act "concerning Interest"
Read 2nd time

Mr Ellsworth moved,
To refer to Committee on Printing, with order to print.
Carried.

S. B. No. 147 entitled "A Bill for an Act "to provide for the proper representation "of the Products and Manufactures of the "State of Colorado, at the Paris Exposition "in the year AD 1878"
Read 2nd time

Mr Ellsworth moved,
To refer to Committee on Printing with order to print
Carried

Mr Ellsworth moved,
To take a recess until 2 P.M.
Carried

So at 12 M. the Senate took a recess.

Afternoon Session

Senate met at 2 P. M.

Mr Randall called up S. B. No. 106, which was made a Special Order for 11 a.m. today

Messages from the House

State of Colorado
Chamber of the House of Representatives
Denver, Jan. 8th 1877

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House has concurred in the action of the Senate in adopting S. C. R. No. 9 which is herewith transmitted

also

Under date of Jany. 10th
I am instructed to inform your Honorable Body that the House has passed House Bills No's 23 & 30 which are herewith transmitted.
The concurrence of the Senate is respectfully requested

Respectfully
W. B. Felker
Chief Clerk of the House

Mr Randall moved
To refer S. B. No. 106 to Committee on

Printing with orders to print

Mr Rockwell moved
To amend by laying S.B. No. 116 on the Table
Carried

Mr Rockwell asked unanimous consent to present certain reports
Consent granted

Committee on Judiciary reported as follows
To the President of the Senate
Your Committee to whom was referred
S.B. No. 40 entitled "A Bill for an act "to repeal an act defining fourteen "causes for attachment"

S.B. No. 87, entitled "A Bill for an act "in relation to Injunctions"
and
S.B. No 157 entitled "A Bill for an act "relating to Constables"
beg leave to report the same back to the Senate with the recommendation that they lie upon the Table
Respectfully
L. C. Rockwell
Chairman

also
Your Committee to whom

was referred H. B. No. 12, entitled "A Bill "for an act to establish and create the "County of Ouray" beg leave to report the same back to the Senate with sundry amendments herewith transmitted.

Respectfully

L. C. Rockwell

Chairman

Mr Webster moved.

To adopt report of Committee on Judiciary on Senate Bills No. 40. 87 & 157.

Carried.

Mr Webster moved

To agree to amendments proposed by the Committee on Judiciary to H. B. No. 12.

Carried.

Mr Rockwell moved

To refer amendments proposed by the Committee on Judiciary to H. B. No 12 To Printing Committee with orders to print

Carried.

Mr Haynes asked unanimous consent to introduce a Concurrent resolution

Consent granted.

Mr Haynes introduced

S. C. R. No. 10 "In relation to meeting of "Judiciary Committees of the two Houses

in Joint session

Mr Webster asked unanimous consent to consider S.C.R. No. 10 at this time.
Consent granted

Mr Webster moved.
To adopt S.C.R. No. 10
Carried.

S.B. No. 102 entitled "A Bill for an act "concerning Courts of Justices of the Peace" Read 2nd time.

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver Jany 10 1877

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House has passed House Bills Nos 8 and 192 and House Joint Resolutions Nos. 1, 2, and 3 all of which are herewith transmitted The concurrence of the Senate is respectfully requested

Respectfully
W. B. Felton
Chief Clerk of the House.

Mr Hamill moved.

To re refer S. B. No. 102 to Committee on Judiciary
Carried

Mr. Mansell asked unanimous consent to present a report
Consent granted

Committee on Engrossment reported as follows.
To the President of the Senate
Your Committee to whom was referred S. B. No. 38 entitled "A Bill for an "Act to provide for the exercise of the "Right of Eminent Domain", beg leave to report the same back to the Senate correctly engrossed.
Respectfully
J. P. Mansell
Chairman

S. B. No 151, entitled "A Bill for an "Act to provide for the partition of Real "Estate"
Read 2nd time

Mr. Ellsworth moved
To re-refer to Committee on Judiciary
Carried,

S. B. No. 175 entitled "A Bill for an act "relating to Criminal Jurisprudence"
Read 2nd time

Mr Ellsworth moved,
To re-refer to Committee on Judiciary
Carried.

Mr Ellsworth asked unanimous consent to take and read all House Bills now on file for 1st reading
Consent granted &c

H. B. No. 192 entitled "A Bill for an Act "to provide for the disposition of Lots &c "Parcels of Land, held in trust, by the "Corporate authorities of any Town or by "any Judge under the provisions of any "Act of Congress or of the General Assembly of Colorado, or both, which are "still undisposed of."
Read 1st time

H. B. No. 8. entitled "A Bill for an Act "to provide for the payment of Salaries "to Officers of the Executive &c Judicial "Departments of the State of Colorado"
Read 1st time

H. B. No. 30. entitled "A Bill for an Act "to provide in what manner the names "of parties may be changed and such "parties be declared the heirs at law of "other persons and to repeal all existing "laws relating to the same subject"
Read 1st time

To re refer S. B. No. 172 to Committee on Judiciary

Carried

Mr Maxwell asked unanimous consent to present a report

Consent granted

Committee on Engrossment reported as follows.

To the President of the Senate

Your Committee to whom was referred S. B. No. 38 entitled "A Bill for an "Act to provide for the exercise of the "Right of Eminent Domain" beg leave to report the same back to the Senate Correctly engrossed

Respectfully

J. P. Maxwell

Chairman

S. B. No 151, entitled "A Bill for an "Act to provide for the partition of Real "Estate"

Read 2nd time

Mr Ellsworth moved

To re-refer to Committee on Judiciary

Carried

S. B. No. 175 entitled "A Bill for an act "relating to Criminal Jurisprudence"

Read 2nd time

Mr Ellsworth moved,
To re-refer to Committee on Judiciary
Carried.

Mr Ellsworth asked unanimous consent to take and read all House Bills now on file for 1st reading
Consent granted.

H. B. No. 192 entitled "A Bill for an Act "to provide for the disposition of Lots and "Parcels of Land, held in trust, by the "Corporate authorities of any Town or by "any Judge under the provisions of any "Act of Congress or of the General Assembly of Colorado, or both, which are "still undisposed of."
Read 1st time

H. B. No. 8. entitled "A Bill for an act "to provide for the payment of Salaries "to officers of the Executive and Judicial "Departments of the State of Colorado"
Read 1st time

H. B. No. 30. entitled "A Bill for an act "to provide in what manner the names "of parties may be changed and such "parties be declared the heirs at law of "other persons and to repeal all existing "laws relating to the same subject"
Read 1st time

H. B. No. 23 entitled "A Bill for an act
"to repeal all existing laws relating
"to marriage, and enact other provisions
"in lieu thereof" ——————
Read 1st time ——————

H. J. R. No. 1 "Requesting an appropriation
"by Congress for the construction of a
"Military Post in South-western Colorado"—
Read 1st time. ——————

H. J. R. No. 2, Relative to the Construction
"of a military Wagon Road from Fort Gar-
"land to the military Post in La Plata
"County Colorado ——————
Read 1st time. ——————

H. J. R. No. 3, Relative to the establish-
"ment of an Indian Agency for the
"Southern Utes in La Plata County"—
Read 1st time ——————

Mr Ellsworth moved ——————
To adjourn until 10 am. to-morrow ——
Carried. ——————

So at 4[30] P.M. the Senate adjourned.

Journal of the Senate

January 11th 1877.

Adjourned.

General Assembly of Colorado

Senate
First Session
Thursday, January 11th 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call

Absent - Messrs. Taylor, (Excused) Butler Hamill, Haynes Maxwell and Rockwell (excused for service on Committee of Fourteen) and DeFrance

Quorum present

Prayer by the Chaplain

Journal of yesterday read and approved.

Reports of Standing Committees

Committee on Federal Relations reported as follows.

To the President of the Senate

Your Committee to whom was referred H. J. M. No. 5. "Asking an appropriation from Congress to build a "Military Wagon Road in Grand County" beg leave to report the same back to the Senate with an amendment to the

title and recommend its adoption, and that the resolution be placed on file for 3d reading

also

Your Committee to whom was referred S. M. and J. R. No. 9. "Asking "Congress for a grant of Public Lands. "and Right of Way, to the Golden, George-"town and Central R. R. Co" beg leave to report the same back to the Senate, without recommendation

Respectfully
T. O. Saunders
Of Committee on Federal Relations

also

Your Committee to whom was referred S. M. and J. R. No. 11. "Relating to a do-"nation of the arid lands belonging to "the United States within the State of "Colorado for the purpose of endowing a "School of Mines and Metallurgy" report the same back to the Senate with a substitute therefor.

H. P. Bennet
Chairman

Mr Saunders moved
To adopt reports of Committee on Federal Relations on H. J. R. No 5. and S. M. and J. R. No. 9.
Carried.

Mr Johnson moved.

To adopt reports of Committee on Printing made yesterday, viz. —
S. B. No. 48, entitled "A Bill for an Act "to encourage the growth of Timber and "Fruit Trees" —

S. B. No. 70 entitled "A Bill for an Act "to repeal an act entitled An act concerning bets in certain cases, approved "February 11th 1876" —

and

S. B. No. 79, entitled "A Bill for an Act "to provide for Publication and Distribution of Official Reports" —
Carried —

Mr DeFrance appeared and took his seat —

Reading of Bills

S. M. and I. R. No. 9. read 2nd time and Referred to Committee of the Whole —

S. B. No. 55, entitled "A Bill for an Act "to compel owners of Coal mines to fence "their Slack piles and abandoned Pits" —
Read 2nd time —

Mr Webster moved —
To refer to Committee on Printing, with orders to print —
Carried —

S. B. No. 36. entitled "A Bill for an Act
"to prohibit the herding of Sheep in the
"neighborhood of Cities and Towns" ——
Read 2nd time ——

Mr. Meyer moved. ——
To order the bill engrossed and printed. —
Carried. ——

S. B. No. 69. entitled "A Bill for an Act
"to promote the mining, milling and
"reducing of Ore, in the State of Col-
"orado, and for the condemnation of sur-
"face ground necessary thereto". ——
Read 2nd time. ——

S. B. No. 125. entitled "A Bill for an
"act to regulate the conditions of
"Appeal Bonds, and Supersedeas Bonds
"when the Judgment or Decree com-
"plained of is for the recovery of Land
"or the possession thereof" ——
Read 2nd time ——
Mr Ellsworth moved. ——
To refer to Committee on Printing with
orders to print. ——
Carried. ——

H. B. No. 30. entitled "A Bill for an
"Act to provide in what manner the
"names of parties may be changed and
"such parties be declared the heirs at
"law of other persons and to repeal all

"existing laws relating to the same "subject"

Read 2nd time—

Referred to Committee of the Whole

H. J. R. No. 3, "Relative to the establishment of an Indian agency for the "Southern Utes in La Plata County—

Read 2nd time

Mr Gannon moved.

To refer to Committee on Indian affairs

Carried.

H. J. R. No 1. Requesting an appropriation by Congress for the construction "of a military Post in Southwestern "Colorado"

Read 2nd time

Mr Gannon moved.

To refer to Committee on Indian affairs

Carried.

H. J. R. No. 2, Relative to the Construction "of a Military Wagon Road from Fort "Garland to the military Post in La Plata "County, Colorado"

Read 2nd time

Mr Gannon moved.

To refer to Committee on Indian Affairs—

Line ..

H. B. No. 192, entitled "A Bill for an "Act to provide for the disposition of "Lots and Parcels of Land held in Trust, "by the Corporate Authorities of any "Town or by any Judge, under the "provisions of any Act of Congress or "of the General Assembly of Colorado, or "both which are still undisposed of" —
Read 2nd time —

Mr Ellsworth moved —
To refer to Committee on Federal Relations —
Carried —

H. B. No. 8. entitled "A Bill for an Act "to provide for the payment of Salaries "to officers of the Executive and Judicial "Departments of the State of Colorado" —
Read 2nd time - and —
Referred to Committee of the Whole —

— Messages from the House —

State of Colorado —
Chamber of the House of Representatives
Denver, Jany 10th 1877 —
To the Honorable
The Senate of the State of Colorado —
I am instructed to inform your Honorable Body that the House

refuses to concur in the action of the Senate in adopting S. C. R. No. 10. "In relation to meeting of Judiciary "Committees of the Two Houses in Joint "Session".

S. C. R. No. 10, is herewith transmitted

also

Under date of Jany. 11th 1877.

I am instructed to inform your Honorable Body, that the House has adopted the Report of the Joint Committee on Revision of the Laws and H. C. R. No. 16. "In relation to the appointment of a Committee on Revision "and adjustment, and a new Joint Rule" Both of which are herewith transmitted

Respectfully

W. B. Fuller

Chief Clerk of the House

H. B. No. 23. entitled "A Bill for an Act "to repeal all existing laws relating "to marriage, and enact other provisions "in lieu thereof"

Read 2nd time and

Referred to Committee of the Whole

S. B. No. 86 entitled "A Bill for an Act "to fix and regulate the Fees of County "Precinct and other officers"

Read 2nd time and

Referred to Committee of the Whole

H. J. R. No. 5 read 3rd time and
Passed by following vote:

Ayes.- Messrs. Barela, Bates, Bennett, Chacon, Cleland, Ellsworth, Gardner, Gaussoin, Hall, Hamilton, Hill, McAdams, Meyer, Moynahan, Randall, Saunders and Webster — 17

Noes. — None

Absent and Not Voting —
Messrs. Butler, De France, Hamill, Haynes, Henson, Johnson, Maxwell, Rothwell and Taylor — 9

Title agreed to.

H. B. No. 33, entitled "A Bill for an "Act for the relief of Robt. Y. Force of "Arapahoe County"
Read 3rd time

Mr Saunders moved
To postpone further action on H. B. No 33 for the present.
Carried.

S. B. No. 18, entitled "A Bill for an Act "to repeal an act concerning Practice "in the District and Probate Courts Approved February 4th 1876"

Read 3rd time and

Passed by the following vote

Ayes. — Messrs Banks, Bates, Bennett, Chase, Clelland, Ellsworth, Gardner, Gaussin, Hall, Hamilton, Hill, Meldrum, Meyer, Moynahan, Randall, Saunders and Webster — 17 —

Noes. — None —

Absent and Not Voting

Messrs. Butler, De France, Hamill, Haynes, Henson, Johnson, Maxwell, Rockwell, and Taylor — 9 —

Title agreed to. —

S. B. No. 38 entitled "A Bill for an Act "to provide for the Exercise of the Right "of Eminent Domain" —

Read 3rd time and

Passed by the following vote —

Ayes. — Messrs Banks, Bates, Bennett, Chase, Clelland, De France, Ellsworth, Gardner, Gaussin, Hall, Hamilton, Hill, Meldrum, Meyer, Moynahan, Randall, Saunders and Webster — 18 —

Noes. — None —

Absent and Not Voting
Messrs. Butler, Hamill, Haynes, Henson, Johnson, Maxwell, Rockwell and Taylor. 8.

Title agreed to.

Mr Hamill moved,
To refer S. B. No. 69 to Committee on Mines and Mining
Carried.

Mr Saunders asked unanimous consent to present a report.
Consent granted and

Committee on Engrossment reported as follows.
To the President of the Senate
Your Committee to whom was referred S. B. No 36. beg leave to report the same back to the Senate correctly engrossed.
Respectfully
T. O. Saunders
Of Committee on Engrossment.

Mr Saunders moved.
To adopt Report
Carried.

H. B. No. 33 called up.
Read 3rd time

Pending discussion on the Same.

Mr Brunet moved,
To adjourn until 2 P.M.
Carried.

So at 12 O'clock and 15 minutes the Senate adjourned.

Afternoon Session

Senate met at 2 P.M. pursuant to adjournment

Roll Call

Absent—Messrs Barela, Ellsworth, Hamill, Taylor and Webster

Quorum present.
Mr Hamill appeared and took his seat.
Mr Johnson asked unanimous consent to present a report.
Consent granted and

Committee on Printing reported as follows.
To the President of the Senate
Your Committee to whom was referred

S. B. No. 35, entitled "A Bill for an Act "to regulate the Compensation of the Mayor "Aldermen and Trustees of Cities and Towns" —

S. B. No. 62, entitled "A Bill for an Act "to provide a Seal for the Supreme Court "of Colorado" —

and

S. B. No. 152, entitled "A Bill for an Act "to authorize the Secretary of State to employ extra clerical assistance to procure "the early publication of the Laws" — beg leave to report the same back to the Senate correctly printed —

Respectfully

Albert Johnson

Chairman

Mr Johnson moved

To adopt the report

Carried

Mr Ellsworth appeared and took his seat —

The Senate resumed the consideration of H. B. No. 33

Mr Breck moved

To refer to Committee on Finance, Ways and Means and

To authorize such Committee to send for Persons in investigating as to the merits of the claims proposed to be paid by said Bill

Carried.

Mr Hamill moved
To refer
S. M. & J. R. No. 8 "Memorial to Congress
"for grant of Arid Lands for Irrigating
"purposes" to Committee on Printing
with orders to print.
Carried.

Mr Randall moved.
To take from the Table the Report of the
Committee on Elections "In the matter
"of the Contest for the Seat of Senator
"of the 7th district"
Carried

Mr Randall moved.
To adopt the Report

Ayes & Noes called with following result.

Ayes - Messrs. Barela, Bates, Bennet, Clark, Clelland, Gardner, Gaussoin, Hall, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meyer, Mayhaleon, Randall, Rockwell & Saunders — 19

Noes - Messrs Hamill & Weldman — 2

Excused - Mr De France — 1

Absent & Not Voting

Messrs Butler, Ellsworth, Taylor and Webster — 4.

So the motion was adopted

Message from the House

State of Colorado.
Chamber of the House of Representatives.
Denver Jany. 11th 1877.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has amended the title to S. B. No. 14. and as amended has passed the Bill

also

That the House has passed H. B. No. 85 "In relation to a State Seal"

Both bills are herewith transmitted.

Respectfully
W. B. Felker
Chief Clerk of the House

Message from the Governor

State of Colorado
Executive department
Denver, Jany. 11th 1877

To the Honorable
The General Assembly of the
State of Colorado
Gentlemen

I have the honor to transmit herewith the report of Mr Geo. H. Gray, State assayer, for Gilpin County. This report is especially worthy of your consideration being the most complete in its details of any report of the kind yet presented

Very Respectfully
John L. Routt.
Governor

Mr Hamill moved.
To refer report of State assayer, to Committee on Mines and Mining
Carried.
Mr Webster appeared and took his seat
Mr Haynes moved
To agree to amendment proposed by the House to title of
S. B. No. 14, entitled "A Bill for an act "to authorize clerks of the district Court "to appoint deputies" - and
To refer the bill as amended to Committee on Enrollment
Carried.
Mr Barela appeared and took his seat
S. R. No. 10 "To divide the Senators into "two classes, and to determine by lot who "shall hold for four years and who shall "hold for two years."
Taken up.

Mr Rockwell moved.

to refer to Committee of the Whole —
Carried"

Mr Bennett moved,
That the Senate now resolve itself into Committee of the Whole on General File,
Carried.

So the Senate went into Committee of the Whole on General File — with Mr Bennett in the Chair

The Committee of the Whole rose —
The Senate resumed its session and —
The following report was read.
Mr President.
Your Committee of the Whole House have had under consideration the General File and have considered
S. R. No. 10. have amended the same by making the time for casting lots on Jany. 12th instead of Feby. 1st 1877 and report the same back to the Senate with the recommendation that it do pass as amended.
— also —
S. J. R. No 9 and report it back with the recommendation that it do pass.
— also —
S. B. No. 70 entitled "A Bill for an Act "to repeal Sec. 2. of an act entitled an

"Act concerning Costs in Certain Cases
"Approved, Feb'y 11th 1872" and have amend-
ed the title to the same, have stricken
out Section 2, and inserted as Sec. 2,
"nothing in this repeal shall apply to
"cases now pending in Court, at the
"time this act takes effect" and report
the same back with the recommendation
that it do pass as amended. ———

——— also ———

H. B. No. 8, and recommend that it be
referred to Committee on Fees & Salaries ——

——— also ———

H. B. No. 23 and recommend that it be re-
ferred to the Committee on Judiciary ——

——— also ———

H. B. No. 30, and recommend that it be re-
ferred to the Committee on Judiciary. ——

——— also ———

S. J. R. No. 6. "Praying Congress to graduate
"the price of Public Lands in the State
"of Colorado not susceptible of Irriga-
"tion" have amended the same and recom-
mend that it do pass as amended. ——

——— also ———

S. B. No. 48. entitled "A Bill for an Act to
"encourage the Growth of Timber and Fruit
"Trees" and recommend that it do pass. ——

——— also ———

S. B. No. 79 entitled "A Bill for an act to
"provide for Publication and distribution, of
"Official Reports", have amended the same
by striking out the word "Legislature" and

inserting "General Assembly" also have filled the 1st blank with the figures "250", the 2nd blank with the figures "150" and have added the words "State officers" after the words "General Assembly" and recommend that it pass as amended.

also.

S. B. No. 86. and recommend that it be referred to the Committee on Fees & Salaries. The bills and resolutions are herewith reported back to the Senate.

Respectfully
H. P. Bennet
Chairman

Mr Maxwell moved
To adopt the report except as to the recommendation in regard to S. B. No. 48.
Carried.

Mr Webster moved
To refer S. B. No. 48 to Committee on Agriculture & Manufactures
Carried.

Mr Bennet called up
H. C. R. No 16. "In relation to the appointment of a Committee on Revision and adjustment & a new Joint Rule."

Mr Harrell moved
To adjourn
Carried.

About 4 P.M. the Senate adjourned.

Journal of the Senate

January 12th 1877.

Approved

General Assembly of Colorado.

Senate
First Session
Friday, January 12th 1877.

Senate met pursuant to adjournment—

Lieutenant Governor presiding —

Roll Call. —

Absent—Messrs Taylor (Excused) Bennet & Hamill. —

Quorum present —

Prayer by the Chaplain. —

Messrs Bennet & Hamill appeared and took their seats —

Journal of yesterday read & approved—

Message from the House.

State of Colorado —
Chamber of the House of Representatives —
Denver, Jan. 12 1877. —

To the Honorable —
The Senate of the State of Colorado —
I am instructed to inform your Honorable Body that the House has passed

H. B. No. 201. In relation to paying for the printing for the General Assembly and Session and all other laws. —
H. B. No. 201 is herewith transmitted —

Respectfully —
W. B. Fellows —
Chief Clerk of the House —

— Reports of Standing Committees

Committee on Printing reported as follows
To the President of the Senate —
Your Committee to whom was referred Senate Bill No. 30. beg leave to report the same back to the Senate correctly printed, except that in Sec. 3. Line 4. the letter "a" should be "any" and in Line 7 of same Sec. the words "of this" should be stricken out —

Respectfully —
Albert Johnson —
Chairman —

Committee on Immigration reported as follows —
To the President of the Senate —
Your Committee to whom was referred S. B. No. 177 beg leave to report the same back to the Senate with the recommendation that it be indefinitely postponed, a substitute for the same having been introduced —
also —

Your Committee to whom was referred S. B. No. 52, beg leave to report the same back to the Senate with the recommendation that it be placed on file for first reading

Respectfully
T. O. Saunders
Chairman

Committee on Agriculture and Manufactures reported as follows.

To the President of the Senate

Your Committee to whom was referred S. B. No. 48, have had the same under consideration, have amended Section 1, by substituting a new section in lieu thereof and beg leave to report the same back to the Senate with the recommendation that the Bill be ordered engrossed and passed as amended.

Respectfully
J. F. Gandreen
Chairman

Committee on Engrossment reported as follows.

To the President of the Senate

Your Committee to whom was referred Senate Bills No. 70 and 79, beg leave to report the same back to the Senate correctly engrossed.

Respectfully
J. P. Maxwell

Committee on Enrollment reported
as follows.
To the President of the Senate—
Your Committee to whom
was referred S. B. No. 14, beg leave to report
the same back to the Senate correctly
enrolled—

Albert Johnson—
Chairman.

Mr Saunders moved.
To adopt reports of Committee on Immigration recommending that—
S. B. No. 177 entitled "A Bill for an Act
"to provide a State Board of Immigration"
be indefinitely postponed.
And recommending that
S. B. No. 52 entitled "A Bill for an Act
"to establish a Board of Immigration"
be placed on file for 1st reading.
Carried.

Mr Johnson moved.
To adopt report of Committee on Printing on
S. B. No. 30, entitled "A Bill for an Act
"for the Protection of Wild Game and Insectivorous Birds"
Carried.

Mr Randall moved.

To adopt report of Committee on Agriculture & Manufactures on
S. B. No. 48. entitled "A Bill for an act
"Encourage the growth of Timber and
"Fruit Trees"
Carried.

Mr Maxwell moved.
To adopt reports of Committee on Engrossment on
S. B. No. 70. entitled "A Bill for an act
"to repeal an act entitled an act concerning costs in certain cases, approved
"February 11th 1876."
and
S. B. No. 79. entitled "A Bill for an act
"to provide for Publication & distribution of
"Official Reports"
Carried.

Mr Johnson moved.
To adopt report of Committee on Enrollment on
S. B. No. 14 entitled "A Bill for an act
"to authorize Clerks of the district Court
"to appoint deputies"
Carried.

Joint Committee appointed under
S. C. R. No. 8. reported as follows.
Mr President
The Joint Committee appointed under S. C. R. No. 8. have examined

the Vouchers and Books of the Auditor and Treasurer to Nov. 1st A.D. 1876 and find them correct in every particular —

Alfred Britton
George A. Patten
Alva, Adams
Joint Committee —

Resolutions

Mr Saunders introduced S. R. No. 11—
"Resolved. —
" —— That the Chairman of the "Standing Committee on Immigration "be authorized to answer such inquiries "as he may receive, regarding the de-"sirableness of immigrating to this State, "stating that at present the State has "no Board of Immigration, but that "the General Assembly now in Session, "is expected soon to pass, an act by "which all the data necessary to inform "those wishing to immigrate of the capa-"bilities, industries and resources of the "State". —

Mr Saunders asked unanimous consent
To consider at this time —
Consent granted —

Mr Saunders moved —
To adopt S. R. No. 11 —
Carried

Mr Butler introduced
S. C. R. No. 11, "An Assigning Joint Committee on Auditors and Treasurers Accounts "to make entries in books, and cancel "vouchers"

Mr Butler moved
To adopt S. C. R. No. 11
Carried.

The Joint Committee of Fourteen reported as follows.
The Joint Committee of the Two Houses appointed to consider practice acts under House Concurrent Resolution No. 15, beg leave to report that they have adopted the following resolution
"Resolved.
" By this Committee that for "the purpose of learning the sentiment "of the Two Houses of this General Assembly upon the Code question we, "recommend the adoption of House Bills "Nos 87 and 88 changed and amended as "may be deemed advisable."
And the Committee hereby submit a majority report recommending the adoption of said bills in accordance with said resolution.
Jan. 10. 1877

J. C. Helms
Alfred Butler
S. B. A. Haynes

C. H. McIntyre
T. F. Simmons
W. A. Hamill
J. P. Maxwell
Henry Henson
Marcano Larraguite

Mr Hamill moved.
To adopt resolution recommended by the Joint Committee.

Mr De France moved.
To postpone consideration until 11 am. to-morrow - and
To make it a Special Order for that time.
Carried

S. B. No. 52. Read 1st time

H. B. No. 201 entitled "A Bill for an Act "to pay for the Printing for the General "Assembly and the Session and all other "Laws"
Read 1st time

H. B. No. 85 entitled "A Bill for an act "providing for the adoption and procuring "of a Seal for the State of Colorado, and "designating the Officer who shall law-"fully use the same and be its custodian "and to declare the penalty for illegally "using or counterfeiting the said seal - and -

"to repeal Chapter 78 of the Revised
"Statutes" ——
Read 1st time ——

S. B. No. 30. Read 2nd time. ——

Mr. Gausvin moved ——
To refer to Committee on Agriculture and
Manufactures ——
Carried. ——

S. B. No 35 entitled "A Bill for an act
"to regulate the Compensation of the May-
"or, Aldermen and Trustees of Cities and
"Towns" ——
Read 2nd time and ——
Referred to Committee of the Whole ——

S. B. No. 152 entitled "A Bill for an act
"to authorize the Secretary of State to em-
"ploy extra Clerical assistance to procure
"the early publication of the laws" ——
Read 2nd time and ——
Referred to Committee of the Whole ——

S. M. and J. R. No. 11. "Relating to a donation
"of the Arid Lands belonging to the Uni-
"ted States, within the State of Colorado,
"for the purpose of endowing a School
"of Mines and Metallurgy" ——
Read 2nd time ——

Mr. Hamill moved ——

To refer to Committee on Mines and Mining
Carried.

S. B. No 62 entitled "A Bill for an Act "to provide a Seal for the Supreme Court of "the State of Colorado"
Read 3rd time and
Passed by the following vote.

Ayes.- Messrs Barela, Bates, Bennett, Butters, Clason, Clelland, De-France, Ellsworth, Gardner, Gassman Hamill, Haynes, Henson, Hill, Johnson, Maxwell, McLdrum, Mey-nahan, Randall, Rockwell, Saun-ders and Webster — 22

Noes. — None

Absent and Not Voting
Messrs, Hall, Hamilton, Meyer and Taylor — 4

Title agreed to.

S. B. No. 70 read 3rd time and
Passed by the following vote

Ayes.- Messrs, Barela, Bates, Butters, Clason, Clelland, De France, Ells-worth, Gardner, Gassman, Hall, Hamill, Haynes, Henson, Hill,

Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders and Webster — 22.

Noes.— Mr Bennet — 1.

Absent and Not Voting —
Messrs. Hamilton, Meyer and Taylor — 3.

Title agreed to. —

S. B. No. 79. read 3rd time and —
Passed by following vote —

Ayes— Messrs. Baxter, Bates, Bennet, Butler, Mason, Clelland, DeFrance, Ellsworth, Gardner, Hall, Hamill, Haynes, Henson, Hill, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders and Webster — 22.

Noes. — None.

Absent and Not Voting
Messrs. Garrison, Hamilton, Meyer and Taylor — 4.

Title agreed to. —

S. M. and J. R. No. 9. "Asking Congress for a "Grant of Public Lands and Right of Way,

"to the Golden, Georgetown and Central
"Railroad Company"
Read 3rd time and
Passed by following vote.

Ayes, - Messrs. Banta, Bates, Button,
Clearon, Clelland, De France, Ellsworth, Gardner, Hall, Hamill,
Hamilton, Haynes, Henson, Hill,
Johnson, Maxwell, McLaren,
Meyer, Moynahan, Randall, Rockwell, Saunders, and Webster — 23

Noes. — None

Absent and Not Voting
Messrs. Bennett, Garrison, and
Taylor — 3

Title agreed to.

H. C. R. No. 16 "In relation to the appointment of a Committee on Revision
"and adjustment and a New Joint Rule"
Taken up and Read.

Mr Hamill moved.
To refer to Committee on Rules
Carried.

Mr Maxwell asked unanimous consent
to present a report.
Consent granted and

Committee on Engrossment reported as follows:

To the President of the Senate

Your Committee to whom was referred S. J. R. No. 6. "Praying Congress to graduate the price of Public "Lands in the State of Colorado, not "susceptible of Irrigation" beg leave to "report the same back to the Senate "correctly engrossed."

J. P. Maxwell
Chairman

S. R. No. 10. "To divide the Senators into "Two Classes and to determine by lot "who shall hold for Four Years and "who shall hold for Two Years".
Taken up and Read.

Mr Butler moved.
To adopt S. R. No. 10
Carried

Mr Butters asked unanimous consent to present a report
Consent granted and

Committee on Finance, Ways and Means reported as follows.
To the President of the Senate

Your Committee to whom was referred S. B. No. 135 entitled "A Bill "for an Act for the relief of Las Animas County"

beg leave to report the same back to the Senate with the recommendation that it be referred to Committee on Judiciary.

Alfred Butters
Chairman

Mr Butters moved
To adopt the report.
Carried.

Mr Maxwell asked unanimous consent to present a report
Consent granted

Committee on Engrossment reported as follows
To the President of the Senate
The Committee to whom was referred S. B. No. 48 entitled "A Bill "for an act to encourage the Growth "of Timber and Fruit Trees" report the same back to the Senate correctly engrossed.

J. P. Maxwell
Chairman

Mr Ellsworth asked unanimous consent to present a report
Consent granted

Committee on Incorporations reported as follows
To the President of the Senate

Your Committee to whom was referred S. B. No 13, entitled "A Bill "for an Act to provide for the disposal "of unclaimed lands within Town Sites "located on the unsurveyed Public domain" beg leave to report the same back to the Senate with the recommendation that the same be referred to the Standing Committee on Federal Relations—

L. C. Ellsworth

Chairman.

Mr Ellsworth moved

To adopt the report

Carried.

Special Order

The hour of 12. M. having arrived—the Senate proceeded to decide by lot between the two classes of Senators (as classified under Senate Resolution No 10) which of said classes should hold for two years, and which shall hold for four years.

A drawing was had in accordance with the requirements of said Resolution— Whereupon.

The President of the Senate declared— That

Senators Meldrum, Saunders, Rockwell, Hamill, Bates, Bennet, Randall, Marquand, McClellan,

Hamilton, Taylor, Meyer and Hanson, should constitute the class to hold for Two Years - and - That.

Senators, Haynes, Maxwell, Webster, Johnson, De France, Ellsworth, Butler, Gaussoin, Gardner, Hall, Hill Barela and Clancy should constitute the class to hold for Four Years.

Mr Webster moved
To adjourn.
Carried.

So at Twelve O'clock and Twenty minutes the Senate adjourned.

Afternoon Session

Senate met at 2. P.M.

Mr Johnson asked unanimous consent to present a report.
Consent granted - and

Committee on Printing reported as follows.
To the President of the Senate

Your Committee to whom was referred Senate Bills No. 10. 77. & 147, Amendments to H. B. No. 12, and S. J. R. No. 1, beg leave to report the same back to the Senate correctly printed.

Respectfully
Albert Johnson
Chairman.

Mr Henson moved.
To Suspend the Rules &
Take up
H. B. No. 12, entitled "A Bill for an act "to Establish & locate the County of "Ouray"
Carried.

Mr Hamill moved.
That the Senate now resolve itself in the Committee of the Whole on H. B. No. 12.

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver, Jany. 12th 1877.
To the Honorable
The Senate of the State of Colorado.
I am instructed to inform your Honorable Body that the House has concurred in the Senate's amendment to the title to H. J. R. No. 5.

also

I am instructed to inform your Honorable Body that the House has passed H.B. No. 69, relating to Roads and Highways

H.B. No. 69. is herewith transmitted

also

I am instructed to inform your Honorable Body that the House has passed H.B. No. 215 in relation to purchasing Law Books for the Supreme Court

H.B. No. 215 is herewith transmitted

Respectfully

W. B. Fellows

Chief Clerk of the House

The question recurring on motion of Mr Hamill it was

Carried.

So the Senate went into Committee of the Whole on H.B. No. 12, with Mr Hamill in the Chair

The Committee of the Whole rose, The Senate resumed its session and The following report was read.

Mr President

Your Committee of the Whole House have had under consideration H.B. No. 12, have made sundry

amendments thereto, (herewith transmitted) and have instructed me to report the same back to the Senate, with the recommendation that the amendments be engrossed and that the bill as amended be put on 3rd reading and final passage.

W. A. Hamill
Chairman

Mr Butler moved.
To agree to report of Committee of the Whole.
Carried.

Committee on Enrollment (Joint) reported as follows.
To the President of the Senate.
The Joint Committee on Enrollment have compared S. B. No. 14, with the engrossed copy, find the same correctly enrolled, and report it to the Senate, signed by the Speaker of the House.

Respectfully
W. B. Hamilton
Chairman on the part of the Senate, of the Joint Committee on Enrollment.

The Title was read, and
The President announced the signing of S. B. No. 14, entitled "A Bill for an Act "to authorize Clerks of the District

"Court to appoint Deputies" ——

Mr Ellsworth moved.
To suspend the rules and
Take up Bills on 3d reading ——
Carried. ——

Mr Hamill moved. ——
To refer S. J. R. No. 6, to Committee on
Printing with orders to print. ——
Carried. ——

S. B. No. 48, read 3d time and ——
Passed by the following vote. ——

Ayes - Messrs Barela, Brunt, Butler,
Chacon, Clelland, De France,
Ellsworth, Gardner, Gaussoin,
Hall, Hamill, Haynes, Henson,
Hill, Johnson, Meldrum, Meyer,
Moynahan, Randall, Saunders
and Webster —— 21.

Noes. —— None

Absent and Not Voting
Messrs Bates, Hamilton, Maxwell, Rockwell and Taylor —— 5

Title agreed to. ——

Mr Saunders moved ——
To refer S. B. No. 77, entitled "A Bill for

"an act concerning interest" —
To Committee of the Whole
Carried.

Mr Webster moved —
To refer S. B. No. 147, entitled "A Bill
"for an act to provide for the proper
"representation of the Products and Manu-
"factures of the State of Colorado, at the
"Paris Exposition in the year A.D. 1878" —
To Committee of the Whole —
Carried. —

S. J. R. No 1 taken up. —
Mr Brunt moved. —
To consider it as Engrossed and —
Put it on 3rd Reading and final passage. —
Carried. —

S. J. R. No. 1. "Asking Congress to pass a
"law granting Ninety Thousand Acres
"of Land to the Agricultural College of
"the State of Colorado" —
Read 3rd time — and
Passed by the following vote. —

Ayes — Messrs Barela, Brunt, Butler,
Clements, Clelland, De France, Ells-
worth, Gardner, Hall, Harrell, Ham-
ilton, Henson, Hill, Johnson, Max-
well, Waldron, Meyer, Meyenheim
Rockwell, Saunders and Webster — 21. —

Ayes. ——— None

Absent and Not Voting ———
Messrs. Bates, Gaussoin, Haynes, Randall and Taylor ——— 5.

Title agreed to ———

Mr Haynes moved. ———
To refer S. B. No. 10. entitled "A Bill for "an Act to extend the Right of Suffrage "to Women of lawful age and otherwise "qualified according to the Provisions of "the Constitution" ———
To Committee of the Whole. ———
Carried. ———

Mr Ellsworth moved. ———
To suspend the Rules — and
Take up Bills on 1st Reading ———
Carried. ———

H. B. No. 69. entitled "A Bill for an Act "to legalize the Roads and Highways within "the State of Colorado" ———
Read 1st time ———

H. B. No. 215. entitled "A Bill for an Act "to provide for the purchase of Law Books "for the Library of the Supreme Court" ———
Read 1st time ———

Mr Ellsworth moved. ———

That the Senate now resolve itself into the Committee of the Whole on General File
Carried

So the Senate went into Committee of the Whole with
Mr Ellsworth in the Chair

The Committee of the Whole rose.
The Senate resumed its Session and
The following report was read.
Mr President.
The Committee of the Whole House have had under consideration the General File
Have amended S.B. No. 152 and recommend that it be referred to the Committee on Federal Relations.
Have amended S.B. No. 10 and recommend that it do pass as amended.
Have amended S.B. No. 77, and recommend that it be considered Engrossed and placed on file for third reading.
Have amended S.B. No. 147 and recommend that it be engrossed and placed on file for 3d reading.

L. C. Ellsworth
Chairman.

Mr Butler moved.
To adopt report

Carried

Mr Hamill moved
To adjourn
Carried

So at 4 45 P.M. the Senate adjourned.—

Journal of the Senate

January 13th 1877

General Assembly of Colorado

Senate
First Session
Saturday Janr'y 13th 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll Call

Absent Messrs Taylor (excused) De France
Gaussoin, Hamilton Meldrum and
Rockwell
Quorum present

Prayer by the Chaplain

Mr Hamilton appeared an took his seat

Journal of yesterday read and approved

Messrs De France and Rockwell appeared and took
their seats

Mr Moynahan presented Petition signed by
Dan'l E. Parks L. Harst and other citizens of
Jefferson County "asking the General Assembly
"to adhere to Senate Substitute for House Bill
"No 8 concerning Salaries of State Officers"

Mr Bennet moved
To refer to Committee on Fees and Salaries

Carried

Reports of Standing Committees

Committee on Printing reported as follows
To the
President of the Senate
Your Committee to whom was referred Senate Bills Nos 54, 55 and 125 beg leave to report the same back to the Senate correctly printed
Albert Johnson
Chairman

Mr Johnson moved
To adopt report
Carried

Committee on Agriculture and Manufacture reported as follows
To the
President of the Senate
Your Committee to whom was referred S B No 73 have considered the same and beg leave to report the same back to the Senate without amendment and recommend the Bill placed on file for 1st Reading
J. T. Gardner
Chairman

Committee on Finance Ways and Means reported as follows

To the
President of the Senate
The Standing Committee to whom was referred H. B. N. 33 have instructed me to report the same back to the Senate with the recommendation that it pass without amendment

Respectfully
Alfred Butters
Chairman

Mr Randall moved
To adopt Reports of Committees
Carried

Mr Butters moved to refer
S. B. N. 54 entitled "A Bill for an Act to "provide for the public printing and publishing "and distribution of the Laws"
to Committee of the Whole. Also
S. B. N. 55 entitled "A Bill for an Act to "compel owners of Coal Mines to fence their "Slackpiles and abandoned pits"
and
S. B. N. 125 entitled "A Bill for an Act to "regulate the conditions of appeal Bonds "and supersedeas Bonds when the judge- "ment or decree complained of is for the re- "covery of lands or the possession thereof"

Carried

Mr Meldrum appeared and took his Seat

Reading of Bills

S. B. N. 73 entitled "A Bill for an Act to prevent the firing of Woods and Prairies"
Read 1st time

S. B. N. 52 "A Bill for an Act to establish a "Board of Immigration"
Read 2nd time and
Referred to Committee of the Whole

H. B. N. 85 entitled "A Bill for an Act providing for the adoption and procuring of a Seal "for the State of Colorado and designating "the Officer who shall lawfully use the same "and be its custodian and to declare the "penalty for illegally using or counterfeiting "the said Seal and to repeal Chapter 78 of "the Revised Statutes"
Read 2nd time

Mr Rockwell moved
To refer H. B. N. 85 to Committee on Judiciary
Carried

Mr Hamill moved
To excuse Mr Ellsworth for balance of to-days session
Carried

H. B. N. 69 entitled "A Bill for an Act to "legalize the Roads and Highways within "the State of Colorado"

Read 2nd time and
Referred to Committee of the Whole

H. B. N. 215 entitled "A Bill for an Act to "provide for the purchase of Law Books for "the Library of the Supreme Court"
Read 2nd time

Mr. Butters moved
To refer to Committee on Finance, Ways and Means
Carried

H. B. N. 201 entitled "A Bill for an Act to "pay for the printing for the General Assembly "and the Session and all other laws"
Read 2nd time and
Referred to Committee of the Whole

H. B. N. 33 entitled "A Bill for an Act for the "relief of Robt. Y. Force"
Read 3d time and
Passed by the following vote

Ayes Messrs Bates, Bennet, Butters, DeFrance, Gardner, Gausoin, Haynes, Hill, Johnson, Maxwell, Meldrum, Meyer, Randall and Webster — 14

Noes Messrs Barela, Chacon, Clelland, Hall, Hamill, Hamilton, Henson, Moynahan, Rockwell and Saunders — 10

Absent and not Voting
Messrs Ellsworth and Taylor ——— 2

Title agreed to

Mr Maxwell asked unanimous consent to present certain reports
Consent granted and

Committee on Engrossment reported as follows
To the
President of the Senate
The Committee to whom was referred S. B. No 147 report the same back to the Senate correctly engrossed
Also
The Committee to whom was referred S. B. No 77 report the same back to the Senate correctly engrossed
Also
The Committee to whom was referred Senate Amendments to A. B. No 12 report the same back to the Senate correctly engrossed
J. P. Maxwell
Chairman

Mr Hamill moved
To adopt reports
Carried

Special Order

The hour of 11 a.m. having arrived
Mr Bennet moved
To postpone action under Special Order for ten minutes — Carried.

H. B. No 12 entitled "A Bill for an Act to "create and establish the County of Ouray"
Read 3d time and
Passed by the following vote

Ayes Messrs Barela, Bates, Bennet, Butters, Chacon, Clelland, De France, Gardner Gaussoin, Hall, Hamill Hamilton, Henson, Hill, Johnson, Meldrum, Moyer Rockwell and Webster — 19

Noes Messrs Haynes, Maxwell, Moynahan Randall and Saunders — 5

Absent and not voting
Messrs Ellsworth and Taylor — 2

Title agreed to

The time set for action under Special Order having arrived
Mr Hamill renewed his motion of yesterday to adopt Report of Joint Committee on Practice Acts.

Mr Meldrum moved
To excuse Mr Moynahan for afternoon Session
Carried

Pending discussion on adoption of the Report

Mr Saunders moved

To adjourn until 2 P.M.

Carried

So at 12 m. the Senate adjourned

Afternoon Session

Senate met at 2 P. M. pursuant to adjournment

~~Roll Call~~

~~Absent Messrs Ellsworth, Moynahan and Taylor (excused) Bennet, Johnson and Webster~~

Quorum present

Mr Hamilton asked unanimous consent to make certain reports
Consent granted and

Joint Committee on Enrollment reported as follows
To the
President of the Senate
The Joint Committee on Enrollment have compared House Memorial and Joint Resolution No. 5 with the engrossed Copy, find the same correctly enrolled and report it to the Senate signed by the Speaker of the House
Also
The Joint Committee on Enrollment presented Senate Bill No 14 entitled "A Bill "for an Act to authorize Clerks of the District "Court to appoint deputies" to his Excellency the Governor for his approval at 12 30 P. M January 13th 1877

Respectfully
W. B. Hamilton
Chairman on the part of the Senate of the Joint Committee on Enrollment

The President announced the signing of H. M. and J. R. No 5 "Asking an appropriation "from Congress to build a Military Wagon "Road in Grand County"

Mr Bennet appeared and took his seat

Mr Maxwell asked unanimous consent to make a report
Consent granted and

Committee on Engrossment reported as follows
To the
President of the Senate
The Standing Committee to whom was referred S. B. No 10 "A Bill for an Act "to extend the right of suffrage to women of "lawful age and otherwise qualified according "to the provisions of the Constitution" and report the same back to the Senate correctly engrossed.
J. P. Maxwell
Chairman

Messrs Johnson and Webster appeared and took their seats

Consideration of the pending motion was continued

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver Jan'y 13th 1877

To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has amended and passed

S. B. No 6 "A Bill for an Act to provide "for the payment of certain claims for printing "the Constitution of the State"

and has also passed

H. B. No 76 "A Bill for an Act to repeal "Chapter 87 of the Revised Statutes and to "provide for the government and support "of the University of Colorado"

The concurrence of the Senate is respectfully requested

S. B. No 6 and H. B. No 76 are herewith transmitted

Respectfully
W. B. Felton
Chief Clerk of the House

Mr Hamill moved
To postpone further action under the pending motion and make ^consideration of the same special order for half past ten o'clock Monday morning

Carried

Message from the Governor

State of Colorado
Executive Department
Denver Jany 13th 1877

Hon. Lafayette Head
President of the Senate
Sir.

I have the honor to inform you that I have this day signed Senate Bill No 14 entitled "An Act to "authorize Clerks of Courts of Record to "appoint Deputies"
and have filed the same with the Secretary of State

Very Respectfully
John L Routt
Governor

Mr Hamill moved
To adjourn
Carried

So at 5 P. M the Senate adjourned.

Journal of the Senate.

January 15th 1877.

Approved.

General Assembly of Colorado.

Senate
First Session
Monday, January 15th 1877.

Senate met pursuant to adjournment —

Lieutenant Governor presiding. —

Roll Call —

Absent. - Messrs Taylor (Excused) Barela Bates, Bennet, Clelland, De France, Maxwell, Rockwell & Webster. —

Quorum present. —

Prayer by the Chaplain. —

Mr Haynes moved —
To grant Mr Rockwell leave of absence for to-days session. —
Carried. —

Mr Saunders moved. —
To grant Mr Maxwell leave of absence for to-days session. —

Carried.

Messrs Bennett and Webster appeared and took their seats

Journal of Saturday Jany. 13th read.

Mr Bennett moved
To amend the Journal by striking out all that pertains to Roll Call in report of afternoon Session.
Carried.

Journal corrected and approved.

Mr Bates appeared and took his seat.

— Reports of Standing Committees —

Committee on Printing reported as follows.
To the President of the Senate
Your Committee to whom was referred S. B. No. 36, beg leave to report the same back to the Senate correctly printed except that in Line 2 of Sec. 2 the word "in" should be inserted between the words "same" and "any".

Respectfully
Albert Johnson
Chairman

Mr Hamill moved.
To adopt report.
Carried—

S. B. No. 36, entitled "A Bill for an Act to "prohibit the herding of Sheep in the neighborhood of Cities & Towns"
Referred to Committee of the Whole.

Committee on Roads & Bridges reported as follows.
To the President of the Senate.
Your Committee to whom was referred S. B. No. 63 beg leave to report the same back to the Senate with the recommendation that it be read first time.

Respectfully
Henry Henson
Chairman.

Mr Hamill moved.
To adopt report.
Carried—

S. B. No. 63, entitled "A Bill for an Act "for the establishing, opening, laying-"out and maintaining and keeping in "repair the Public Highways of the State "of Colorado and defining the duties of "Boards of County Commissioners and "Road Overseers to be performed by them "in connection with such roads and "bridges on the Public Highway and the "manner of levying and means of collect-"ing said road tax in the different "road districts of the State of Colorado" — Filed for 1st reading

Committee on Irrigation reported as follows.

To the President of the Senate

Your Committee to whom was referred S. B. No. 142 entitled "A Bill "for an Act concerning dissipated persons" beg leave to report the same back to the Senate with the recommendation that it be laid on the Table

Respectfully
H. P. Bennet
Chairman

Mr. Williams appeared and took his seat.

Reading of Bills

Messrs De France & Barela appeared and took their seats

S. B. No. 63 read to, and including Sec. 9. the 1st time

Special Order

The hour of 10³⁰ a.m. having arrived the Senate resumed the consideration of the motion to adopt Report of Committee of Fourteen on Practice

Mr Bennet offered the following Preamble & Resolutions

Whereas.

House Bills No. 87 & 88. commonly called the "Code" and which together contain 478 Sections pertaining to the manner and Practice of Courts only, and which it is proposed to enact into law at this session, to take the place of 449 Sections of the Revised Statutes and 21 acts of the Session Laws passed since the adoption of the Revised Statutes, and which also undo and render negative very much of the labor already accomplished by this session of the Gen-

ral Assembly, during the 76 days of its sessions already expired. — and —

Whereas. —

—— There is yet very much of indispensible legislative work for this General Assembly to perform in the enactment of new laws required by the State Constitution, and the adaptation of existing laws other and outside of all laws relating to practice in the Courts, and whether it be the proposed Code or the present existing practice, bills for which enactments have been prepared at great labor and expense and are now pending in greater or less stages of progress in either, and both Houses, and which bills will yet require much time for the General Assembly to properly consider and pass into legal enactments. — and —

Whereas. —

—— There are serious doubts of the propriety of any Legislative Body adopting any system of Practice which has not been first carefully considered by a Commission, sitting for months, in arranging and preparing it for enactment as well as doubts existing in the minds of very many of our ablest and best

lawyers of the propriety of any such great and sweeping change in the present system of practice which has existed for sixteen years last past, by the Legislature, unless the said change be first submitted to a Commission;—and

Whereas,

—— There are no petitions on file from the people praying for such change at this time and no public newspaper in the State advocating the same as a matter of any great or imperative necessity—and

Whereas,

—— The question was not made a question, or an issue before the people at the election of the members of the General Assembly, nor its attention called thereto by the Executive of the State in his message. —— Therefore,

Resolved,

—— 1st- That it is the sense of this Senate that House Bills No. 87 and 88 known as the "Code" be not further considered for the purpose of enactment, at this session.—and

Resolved,

—— 2nd- That said House Bills No. 87

& 88. and the whole subject of Code Practice be referred to a Commission of one or more competent persons to be appointed by the Governor, under such rules and restrictions as may hereafter be deemed proper and advisable with instructions to report at the next session of this General Assembly a complete Revision & Code of Laws for this State—

Mr Bennett moved
To adopt the amendment.

Ayes & Noes called with following result.

Ayes.—Messrs. Banks, Bates, Bennett, Clelland, De France, Ellsworth, Hill, & Johnson — 8.

Noes.—Messrs. Butters, Cheney, Gardner, Garrison, Hall, Hamill, Hamilton, Haynes, Hewson, McAdam, Meyer, Moynahan, Randall, Saunders and Webster — 15—

Absent & Not Voting

Messrs Maxwell, Rockwell and

So the motion was lost.

Mr Hamill moved,
To take a recess until 2 P.M.
Carried.

So at Twelve O'clock and Ten minutes the Senate took a recess.

Afternoon Session

Senate met at 2 P.M.

Mr Henson moved,
To grant Mr Meyer leave of absence for remainder of to-days session.
Carried.

Messages from the House.

State of Colorado
Chamber of the House of Representatives
Denver, Jan. 15th 1877

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the House has passed House has passed House Joint Resolutions No. 4 and 7 which are herewith transmitted — The Concurrence of the Senate therein is respectfully requested.

also.

I am instructed to inform your Honorable Body, that the House has adopted S. C. R. No. 11. and has passed H. B. No. 31. In relation to marks and brands of Flour and other goods

S. C. R. No. 11 and H. B. No. 31 are herewith transmitted

Respectfully
W. B. Fellows
Chief Clerk of the House

The question recurring on the motion to adopt report of Committee of Fourteen

The Ayes and Noes were called with the following result.

Ayes. - Messrs. Butters, Chacon, Gardner

Gaussin, Hall, Hamill, Hamilton, Henson, Meldrum, Moynahan, Randall, Saunders, & Webster - 13.

Noes.- Messrs Banks, Bates, Bennet, Cleland, De France, Ellsworth, Hill & Johnson — 8

Absent & Not Voting —

Messrs. Haynes, Maxwell, Meyer, Rockwell & Taylor — 5

So the motion was carried.

Mr Randall moved

To adjourn

Carried.

So at 5 45/100 P.M. the Senate adjourned.

Journal of the Senate

January 16th 1877.

Approved.

General Assembly of Colorado.

Senate
First Session
Tuesday, January 16th 1877.

Senate met pursuant to adjournment —

Lieutenant Governor presiding —

Roll Call —

Absent — Messrs Taylor (excused) Bates
De France, Meldrum, and Rockwell —

Quorum present —

Prayer by the Chaplain —

Mr Hamill moved —
To grant Mr Bates leave of absence for
morning session —
Carried —

Journal of yesterday read and approved —

Petitions and Memorials —

Mr Bennet presented

Petition of Board of Commissioners of Arapahoe County asking for establishment of a Police Court in the City of Denver.

Mr Bennet moved.
To refer to Judiciary Committee
Carried.

Reports of Standing Committees

Committee on Printing reported as follows.

To the President of the Senate

Your Committee to whom was referred S. B. No. 32. beg leave to report the same back to the Senate correctly printed, except that in Sec. 8, Line 24, the word "aid" should be "and" In Sec. 13. Line 7, the word "theoretical" should be "theoretic" & in Sec. 32, Line 6 the word "the" should be "this"

Albert Johnson
Chairman

Committee on Federal Relations reported as follows

Mr President

The Committee on Federal

Relation to which was referred S. J. R. No. 3. "Memorial and Joint Resolutions asking "Congress to establish and maintain a "Mint for Coinage at Denver Colorado" report the same back to the Senate with an amendment and recommend its adoption

H. P. Bennet
Chairman

Messrs Weldon & Rockwell appeared & took their seats

S. B. No. 32 entitled "A Bill for an Act "to establish a State Board of Agriculture "and to define its duties."
Referred to Committee of the Whole.

Mr De France appeared & took his seat

Reading of Bills

S. B. No. 63. entitled "A Bill for an Act "for the establishing, opening, laying "out and maintaining and keeping in "repair the Public Highways of the State "of Colorado, and defining the duties of "Boards of County Commissioners & Road "Overseers to be performed by them in

"connection with such Roads and Bridges
"on the Public Highway, and the manner
"of levying and means of collecting said
"Road Tax in the different road districts
"of the State of Colorado" ——————
Read 1st time ——————

H. B. No. 31. entitled "A Bill for an Act
"in relation to Marks and Brands of Flour
"and other goods" ——————
Read 1st time ——————

H. J. R. No. 6. "To establish a Military
"Post in Grand County, State of Colorado" —
Read 1st time ——————

H. J. R. No. 7. "Providing for the relief of
"the Orphan Children of Christopher Cannon" —
Read 1st time ——————

H. B. No. 76. entitled "A Bill for an Act
"to repeal Chapter Eighty-seven of the Re-
"vised Statutes, and to provide for the Gov-
"ernment and Support of the University
"of Colorado" ——————
Read 1st time ——————

S. B. No. 73. entitled "A Bill for an Act

"to prevent the firing of Woods and Prairies" ___

Read 2nd time ___

Mr Gardner moved ___
To refer to Committee on Printing with orders to print ___
Carried ___

S. B. No. 6. entitled "A Bill for an act "to provide for the payment of certain "claims for Printing the Constitution of the "State" ___
Taken up & Read 3d time ___

Mr Butler moved ___
To concur in the amendment proposed by the House adding an Emergency Clause ___

Ayes & Noes called with following result ___

Ayes - Messrs. Barela, Bennet, Butler, Chacon, Clelland, Ellsworth, Gardner, Garrison, Hall, Hamilton, Hill, Johnson, Maxwell, Meldrum, Meyer, Randall, Saunders and Webster ___ 18

Noes.—Messrs. De France, Hamill, Haynes
Henson, Mayzealous & Rockwell — 6.—

Absent & Not Voting —
Messrs Baker & Taylor — 2.—

So the Senate concurred in the House
Amendment to S. B. No. 6. —

S. B. No. 77. entitled "A Bill for an Act
"concerning Interest" —
Read 3d time —

Mr Ellsworth moved —
To refer to Committee on Finance Ways & Means —
Carried. —

S. B. No. 147. entitled "A Bill for an Act
"to provide for the proper representation
"of the Products and Manufactures of the
"State of Colorado, at the Paris Exposi-
"tion in the year A.D. 1878" —
Read 3d time — and
Passed by following vote —

Ayes.—Messrs Barela, Butler, Clark,
Ellsworth, Gardner, Gunnison,
Hall, Hamill, Haynes, Henson,

Johnson, Maxwell, McEldrum, Meyer
Moynahan, Randall, Rockwell, Saunders & Webster —— 19.

Noes. – Messrs Brunet, Clelland, De France
Hamilton & Hill —— 5.

Absent & Not Voting ——
Messrs Bates & Taylor —— 2.

Title agreed to ——

S. B. No. 10, entitled "A Bill for an Act "to extend the right of suffrage to women "of lawful age and otherwise qualified "according to the provisions of the Constitution" ——
Read 3rd time – and ——
Passed by following vote. ——

Ayes. – Messrs. Brunet, Butler, Clelland
De France, Ellsmith, Gardner, Hall,
Hamill, Haynes, Henson, Hill,
Johnson, Maxwell, McEldrum, Meyer,
Moynahan, Randall, Rockwell,
Saunders & Webster —— 20.

Noes. – Messrs Barela, Cleaver, Garrison and

Absent and Not Voting
Messrs Bates and Taylor — 2.

Title agreed to

Mr Hamilton asked unanimous consent to present a report.
Consent granted —

Committee on Enrollment (Joint) reported as follows.
To the President of the Senate —
The Joint Committee on Enrollment have compared House Bill No. 33 with the engrossed copy, find the same correctly enrolled, and report it to the Senate, signed by the Speaker of the House.

Respectfully
W. B. Hamilton
Chairman on the part of the Senate of the Joint Committee on Enrollment

The title was read —
The President announced the signing of H. B. No. 33, entitled "A Bill for an Act

"for the relief of Robert G. Force of "Arapahoe County

— Unfinished Business

Mr Butler moved.
To agree to Report of Committee on Federal Relations on S. J. R. No. 5.
Carried.

Mr Hamill moved.
To agree to report of Committee on Irrigation recommending that S. B. No. 142, entitled "A Bill for an Act "concerning dissipated persons"
do lie upon the Table.
Carried.

Mr Hamill moved.
That the Senate now resolve itself into the Committee of the Whole on General File.
Carried.

So the Senate went into Committee of the Whole with
Mr De France in the Chair.

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read.
Mr President

Your Committee of the Whole House have had under consideration S. B. No. 67, have made some progress and ask leave to sit again.

A. H. De France
Chairman

Mr Butler moved.
To receive report and
To grant consent
Carried.

Mr Harriet moved
To take a recess until 2 P.M.
Carried.

So at 12 O'clock and 15 minutes the Senate took a recess.

Afternoon Session

Senate met at 2. P. M.

Mr Johnson asked unanimous consent to present a report
Consent granted—&c

Committee on Printing reported as follows.
To the President of the Senate
Your Committee to whom was referred S. J. R. No. 6. "Praying Congress to "graduate the price of Public Lands in "the State of Colorado not susceptible of "Irrigation" &c S. M. & J. R. No. 8. "Memorial "to Congress for Grant of Arid Lands for "irrigating purposes" beg leave to report the same back to the Senate correctly printed

Albert Johnson
Chairman

Mr Hamilton asked unanimous consent to present a report.
Consent granted—&c

Committee on Enrollment (Joint) re-

sented as follows.

To the President of the Senate

The Joint Committee on Enrollment presented H. M. and J. R. No. 5 and H. B. No. 33. to His Excellency, the Governor, for his approval at 1³⁰ O'clock P. M. January 16th 1877

Respectfully

W. B. Hamilton

Chairman on the part of the Senate of the Joint Committee on Enrollment

Mr Maxwell moved

That the Senate now resolve itself into the Committee of the Whole on General File

Carried.

So the Senate went into Committee of the Whole with

Mr De France in the Chair.

The Committee of the Whole rose.

The Senate resumed its session and

The following report was read.

Mr President.

Your Committee of the Whole House have had under consideration

the General File

Have amended S. B. No. 67 entitled "A "Bill for an Act to facilitate the recovery "of ore unlawfully taken by theft or "trespass: to regulate the sale and dis-"position of ore, and for the better protec-"tion of mine owners" and recommend that the amendments be printed, and the bill engrossed and placed on file for 3rd reading.

also

Have considered H. B. No. 201, entitled "A "Bill for an act to pay for the printing "of the General Assembly and the Session "and all other laws" and recommend that it do pass.

also

Have amended S. M. and J. R. No. 8 "Praying "Congress for a donation of arid lands "within the State for the purpose of Irriga-"tion and Reclamation" and recommend that it be engrossed and placed on file for 3rd reading.

also

Have amended S. B. No. 54 entitled "A Bill "for an Act to provide for the Public Print-"ing and Publishing and Distribution of the "Laws of this State" and recommend that it be referred to Committee on Printing—

also.

Have considered H. B. No. 69, entitled "A "Bill for an Act to legalize the Roads and "Highways within the State of Colorado" and recommend that it be referred to Committee on Roads and Bridges

also.

Have considered S. B. No. 125 entitled "A "Bill for an Act to regulate the conditions "of Appeal Bonds and Supersedeas Bonds, when "the Judgment or decree complained of is "for the recovery of Land, or the possession "thereof" and recommend that it do pass

also

Have amended S. B. No. 55 entitled "A Bill "for an act to compel owners of Coal mines "to fence their slack piles and abandoned "pits" and recommend that it do pass as amended

also.

Have considered S. B. No. 52, entitled "A Bill "for an act to establish a Board of Immi-"gration" and recommend that it be referred to Committee on Immigration.

Respectfully

A. H. De France

Chairman

Mr Hamill moved

To agree to report of Committee of the Whole

Carried

Mr Hamill moved

To adjourn

Carried.

So at 4^{45} P.M. the Senate adjourned.

Journal of the Senate

January 17th 1877.

Approved.

General Assembly of Colorado

Senate
First Session
Wednesday January 17th 1877

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call

Absent - Messrs. Taylor (excused) De-France, Garrison, Johnson and Randall

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Messrs Randall and De France appeared and took their seats.

Reports of Standing Committees

Committee on Fees and Salaries by Mr.

Chairman Mr Haynes reported —
H. B. No. 8 entitled "A Bill for an act
"to provide for the payment of salaries
"to Officers of the Executive and Judicial
"Departments of the State of Colorado" —
back to the Senate with sundry a-
mendments thereto and recommending the
adoption of the same —

Mr Cleland moved.
To re-refer to Committee on Finance,
Ways and Means —
Carried. —

Committee on Counties and County
Lines by its Chairman Mr Hall re-
ported S. B. No. 61 entitled "A Bill for
"an act concerning Counties, County
"Officers and County Government, and repeal-
"ing all laws on these subjects" —
back to the Senate, recommending that
it be placed on file for 1st reading —

Committee on Agriculture and Man-
ufactures by its Chairman Mr Gard-
ner reported S. B. No. 30 entitled "A Bill
"for an act for the protection of Wild Game
"and Insectivorous Birds" —

back to the Senate with Sundry amendments thereto and recommending that the Bill and amendments be referred to Committee of the Whole.

Mr Maxwell moved.
To adopt report of Committee on Agriculture and Manufactures
Carried

Mr Gardner moved.
To adopt report of Committee on Counties and County Lines
Carried.

Mr Garrison appeared and took his seat

Reading of Bills

S. J. R. No. 3 "Memorial and Joint Resolutions "asking Congress to establish and maintain a Mint for Coinage at Denver, Colorado
Read 1st time

Mr Johnson appeared and took his seat

S. B. No. 61. read 1st time

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver Jan. 16th 1877

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House has passed H. B. No. 20 which is herewith transmitted
The Concurrence of the Senate therein is respectfully requested
Respectfully
W. B. Felton
Chief Clerk of the House

H. B. No. 20 entitled "A Bill for an act "to amend an act concerning costs in "Criminal Cases"
Read 1st time

H. B. No. 31, entitled "A Bill for an act "in relation to Marks & Brands of Flour "and other goods"
Read 2nd time &c.
Referred to Committee of the Whole

H. J. R. No. 7. "Providing for the relief "of the Orphan children of Christopher "Carson" —

Read 2nd time and —

Referred to Committee of the Whole —

H. J. R. No. 4. "To establish a Military "Post in Grand County State of Colorado" —

Read 2nd time and —

Referred to Committee of the Whole —

H. B. No. 76. entitled "A Bill for an Act "to repeal Chapter Eighty-seven of the "Revised Statutes and to provide for the "government and support of the University "of Colorado" —

Read 2nd time and —

Referred to Committee of the Whole —

S. B. No. 63. entitled "A Bill for an Act "for the establishing, laying out, main- "taining and keeping in repair the public "highways of the State of Colorado, and "defining the duties of Boards of County "Commissioners and Road Overseers, to be per- "formed by them in connection with such "roads and bridges on the Public Highway, "and the manner of levying and means

"of collecting said road tax in the
"different road districts of the State of
"Colorado" ___

Read 2nd time ___

___

Mr Hall moved ___
To refer to Committee on Roads and Bridges
Carried. ___

___

Mr Hamilton asked unanimous con-
sent to present a report. ___
Consent granted and ___

___

Committee on Enrollment (Joint) by
its Chairman Mr Hamilton reported H. B. No. 12 cor-
rectly enrolled and signed by the Speaker
of the House. ___

___

The title was read and ___
The President announced the signing of
H. B. No 12 entitled "A Bill for an Act
"to establish and create the County of
"Ouray" ___

___

Mr Johnson asked unanimous consent
to present a report ___
Consent granted and ___

___

Committee on Enrollment by its Chairman, Mr. Johnson reported.

"S. B. No. 6 entitled "A Bill for an Act to "provide for the payment of certain claims "for Printing the Constitution of the State" back to the Senate correctly enrolled.

S. J. R. No. 6. "Praying Congress to graduate "the price of Public Lands in the State of "Colorado, not susceptible of Irrigation"

Read 3d time — &c

Passed by following vote

Ayes — Messrs Barela, Bates, Bennet, Chacon, Clelland, Ellsworth, Gardner, Hall, Hamilton, Hill, Johnson, Meldrum, Meyer, Moynahan, Randall, and Saunders — 16

Noes. — None

Absent and Not Voting

Messrs. Butler, De France, Hamill, Haynes, Henson, Maxwell, Rockwell, Taylor, Tancore and Webster — 10

Title agreed to.

H. B. No. 201 entitled "A Bill for an "Act to pay for the Printing for the General Assembly and the Session and all "other Laws"

Read 3rd time and

Passed by following vote

Ayes. Messrs Bassler, Bates, Bennet, Chacon, Clelland, Ellsworth, Gardner, Garrison, Hall, Hamilton, Hill, Johnson, Meldrum, Meyer, Moynahan, Randall, Saunders and Webster — 18.

Noes — None

Absent and Not Voting

Messrs Butler, De France, Hamill, Haynes, Hinson, Maxwell, Rockwell and Taylor — 8.

Title agreed to.

Mr Meldrum moved

To take a recess until 2 P. M.

Carried.

So at 12 M the Senate took a recess

Afternoon Session

Senate met at 2 P.M.

Mr Hamilton asked unanimous consent to present a report—
Consent granted and

Committee on Enrollment (Joint) by its Chairman Mr Hamilton reported—
H. B. No. 12, in the hands of His Excellency, the Governor at 12 20 P.M. Jany. 17— 1877.

Mr Butler asked unanimous consent to present a report.
Consent granted—and

Committee appointed to examine the accounts of Auditor and Treasurer of State and to cancel Vouchers & reported that they had cancelled all Vouchers in the hands of the Treasurer paid between Jany 1st and Nov. 1st AD 1876 and had made proper entries in Books of Treasurer and Auditor of State.

Mr Webster moved.

To receive report &c
Discharge Committee
Carried.

Mr Maxwell asked unanimous consent to present a report
Consent granted &c

Committee on Engrossment by its Chairman Mr Maxwell reported.
S.B. No. 53 entitled "A Bill for an act "to compel owners of Coal mines to "fence their slack piles and abandoned "pits"

&c

S.B. No. 125 entitled "A Bill for an act "to regulate the conditions of Appeal Bonds "&c Supersedeas Bonds, when the Judgment "or Decree complained of is for the recov- "ery of Land or the possession thereof" — back to the Senate correctly engrossed —

Mr Butler moved
That the Senate now resolve itself into the Committee of the Whole on General File
Carried

So the Senate went into Committee of the Whole with Mr Butler in the Chair

The Committee of the Whole rose and The Senate resumed its session to receive the following

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver Jan. 17th 1877.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has amended S. B. No. 18 and has passed it as amended.

The concurrence of the Senate in the amendment made by the House is respectfully requested.

S. B. No. 18, is herewith transmitted

Respectfully
W. B. Fellows
Chief Clerk of the House

The Senate again went into Committee

tee of the Whole with
Mr Butters in the Chair.

The Committee of the Whole rose
The Senate resumed its Session and
The following report was read.
Mr President
Your Committee of the Whole
House have had under consideration
the General File
Have amended H. B. No. 31, and report it
back with the recommendation that
it be placed on file for 3rd reading.
also
Have considered H. J. R. No 4 and H. J. R. No.
7 and report them back with the re-
commendation that H. J. R. No. 4 do pass
and that H. J. R. No. 7 be referred to Com-
mittee on Indian Affairs
also
Have considered S. B. No. 36 entitled
"A Bill for an act to prohibit the herd
"ing of sheep in the neighborhood of
"Cities and Towns" and report it back with
the recommendation that it be re-
ferred to a Special Committee to con-
sist of Messrs Hill, Barela and Brunot
also

Have considered H. B. No. 76 and report it back, with the recommendation that it be referred to Committee on Education School and University Lands and after consideration by that Committee that it be re-referred to Committee of the Whole.

also

Have amended S. B. No. 30, and report it back, with the recommendation that it be engrossed for 3rd reading.

Alfred Butler
Chairman

Mr Maxwell moved
To adopt the Report
Carried

Mr Hamilton asked unanimous consent to present a report.
Consent granted and

Committee on Enrollment (Bivalt) by its Chairman Mr Hamilton reported S. B. No 6 back to the Senate correctly enrolled and signed by the Speaker of the House.

The title was read—&c.
The President announced the signing of S.B. No. 6.

Mr Maxwell asked unanimous consent to present a report,
Consent granted &c.

Committee on Engrossment by its Chairman Mr Maxwell reported H.B. No. 31 back to the Senate with amendments correctly engrossed.

Mr Haynes moved
To grant Mr Rockwell leave of absence until Monday morning next
Carried.

Mr McElrum moved.
To adjourn
Carried

So at 4[15] P.M. the Senate adjourned—

Journal of the Senate

January 18th 1877

Approved

General Assembly of Colorado.

Senate
First Session
Thursday, January 18 1877.

Senate met pursuant to adjournment —

Lieutenant Governor presiding —

Roll Call —

Absent — Messrs. Rockwell and Taylor (excused) Chacon, De France, and Hall —

Quorum present —

Prayer by the Chaplain —

Journal of yesterday read and approved —

Mr. De France appeared and took his seat —

— Reports of Standing Committees —

Committee on Finance, Ways and Means by its Chairman Mr Butler reported —

S. B. No. 122, entitled "A Bill for an act
"to provide for funding the State debt
"and issuing bonds in lieu thereof." —

and

S. B. No. 107 entitled "A Bill for an act
"relating to Licenses" —
back to the Senate, with the recommendation that they lie on the Table —

also

S. B. No. 119 entitled "A Bill for an act
"to provide for the payment of the balance
"due A. R. Dyer and C. Dominguez for translating the Constitution of Colorado into
"the Spanish Language" —
back to the Senate, with the recommendation that it do pass. —

also,

H. B. No 215 entitled "A Bill for an act
"to provide for the purchase of Law Books
"for the Library of the Supreme Court"
back to the Senate with the recommendation that the amount of appropriation
be $1500— instead of $3000— —

also,

S. B. No. 77, entitled "A Bill for an act
"concerning Interest" —
back to the Senate, with amendment
and the recommendation that it do pass —

as amended

Mr Butler moved,
To place S. B. No. 119 on file for 1st reading.
Carried.

Reading of Bills

S. B. No. 119 read 1st time

S. Mem. J. R. No. 3. "Asking Congress to es-
"tablish and maintain a Mint for Coin-
"age at Denver"
Read 2nd time-End
Referred to Committee of the Whole.

Mr Hall appeared and took his seat.

H. B. No. 20 entitled "A Bill for an Act
"to amend an Act concerning Costs in
"Criminal Cases"
Read 2nd time-End
Referred to Committee of the Whole

S. B. No. 61 entitled "A Bill for an Act
"concerning Counties, County Officers and
"County Government, and repealing all laws
"on these subjects"

Read 2nd time

Mr Hall moved,
To refer to Committee on Printing with orders to print.
Carried.

Mr Haynes asked unanimous consent to present a report
Consent granted—and

Committee on Elections by its Chairman Mr Haynes reported
S. B. No. 28. entitled "A Bill for an Act "regulating Elections, and repealing all "Territorial Acts upon the subject"
back to the Senate with sundry amendments with the recommendation that they be adopted

Mr Haynes moved.
To refer proposed amendments to Committee on Printing with orders to print
Carried.

Mr Webster moved.
To refer S. B. No. 125 entitled "A Bill for "an act to regulate the conditions of

"Appeal Bonds and Supersedeas Bonds "when the Judgment or decree complained of, is for the recovery of Land "or the possession thereof" — to Committee on Judiciary ——

Carried. ——

S. B. No. 53 entitled "A Bill for an Act "to compel owners of Coal Mines to "fence their Slack Piles and abandoned "Pits" ——

Read 3rd time — and ——

Passed by following vote. ——

Ayes. — Messrs. Butters, Clelland, DeFrance, Ellsworth, Gardner, Gunnison, Hall, Hamilton, Haynes, Henson, Hill, Maxwell, Meldrum, Meyer, Moynahan, Randall, Saunders and Webster —— 18.

Noes — Messrs Bates, Brunet, Hamill and Johnson —— 4.

Absent and Not Voting ——

Messrs Barela, Clever, Rockwell and Taylor —— 4.

Title agreed to.

H. B. No. 31, entitled "A Bill for an "Act in relation to Marks and Brands "of Flour and other goods"
Read 3rd time and
Passed by following vote.

Ayes.- Messrs. Bates, Bennet, Butters Clelland, Ellsworth, Gardner, Gaussoin, Hall, Hamill, Hamilton, Haynes, Hensen, Hill, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Saunders and Webster 21.

Noes. Mr De France 1.

Absent and Not Voting
Messrs. Barela, Chacon, Rockwell and Taylor 4.

Title agreed to.

H. J. R. No. 7. "Providing for the Relief "of the Orphan Children of Christopher "Carson"
Read 3rd time and

Passed by following vote

Ayes. — Messrs. Bates, Brunck, Butters, Clelland, DeFrance, Ellsworth, Gardner, Gaussoin, Hall, Hamill, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meldrum, Meyer, Saunders, and Webster — 20

Noes. — Messrs Moynalian & Randall — 2.

Absent & Not Voting —
Messrs Barela, Clemens, Rockwell & Taylor — 4.

Title agreed to. —

Mr. Butters moved. —
To agree to the amendments proposed by Committee on Finance, Ways & Means to S. B. No. 77. —
Carried —

Mr. Butters moved, —
To suspend the Rules & —
Place S. B. No. 77 on 3rd Reading and final passage. —

Ayes and Noes called with following result.

Ayes. - Messrs Bates, Butters, Clelland, Ellsworth, Gardner, Gaussoin, Hall, Hamill, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Saunders and Webster - 20.

Noes. - Messrs Bennet and De France - 2.

Absent and Not Voting
Messrs Barela, Clemens, Rockwell and Taylor, - 4

So the Rules were suspended - and

S. B. No. 77, read 3rd time - and
Passed by following vote.

Ayes. Messrs Bates, Butters, Clelland, De France, Ellsworth, Gardner, Gaussoin, Hamill, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meyer, Moynahan, Randall, Saunders and Webster - 19.

Noes.—Messrs. Brunet, Hall, and Meldrum. ——— 3.—

Absent and Not Voting ———
Messrs Barela, Chacon, Rockwell and Taylor ——— 4

Title agreed to ———

Mr Hamill moved, ———
To agree to report of Committee on Finance, Ways and Means and ———
Lay S. B. No. 122 on the Table. ———
Carried. ———

Mr. Butters moved, ———
To agree to report of Committee on Finance, Ways and Means and ———
Lay S. B. No. 107 on the Table ———
Carried. ———

Mr Butters moved. ———
To agree to amendments proposed by the Committee on Finance, Ways and Means
to H. B. No. 215 ———
Carried. ———

Mr Butters moved. ———

To suspend the Rules and
Place H. B. No. 215 on 3rd reading and final passage
Carried

H. B. No. 215. read 3rd time and
Passed by following vote.

Ayes - Messrs. Bates, Bennet, Butters, Clelland, De France, Ellsworth, Gardner, Gaussoin, Hall, ~~Hamill~~, Hamill, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Saunders and Webster — 22.

Noes. — None

Absent and Not Voting.
Messrs. Barela, Chacon, Rockwell, and Taylor — 4.

Title agreed to.

Mr Butters moved.
To agree to amendments proposed by the House to S. B. No. 18. entitled "A Bill "for an act to repeal an act concerning

"Practice in the District and Probate Courts
"approved February 4th 1876"

Ayes and Noes called with following result

Ayes.- Messrs Bates, Bennett, Butters De France, Ellsworth, Gardner Garrison, Hall, Hamill, Hamilton, Haynes, Hensen, Hill, Johnson, Maxwell, McAdams, Meyer, Randall and Saunders — 19.

Noes.- Messrs Clelland, Moynahan and Webster — 3.

Absent and Not Voting
Messrs Barela, Clauson, Rockwell, and Taylor — 4.

So the Senate agreed to amendments proposed by House to S. B. No. 18. —

Mr Maxwell asked unanimous consent to present a report
Consent granted — and

Committee on Engrossment by its Chairman. Mr Maxwell reported. —

S. M. and J. R. No. 8 "Memorial to Congress "for grant of Arid Lands for Irrigating "Purposes" ——

back to the Senate correctly engrossed—

Mr Maxwell (unanimous consent being given) moved. ——

To place S. M. and J. R. No. 8 on 3d. reading and final passage. ——

Carried. ——

Unanimous consent being given Joint Committee on Enrollment by its Chairman Mr Hamilton; reported H. B. No. 201, correctly enrolled and signed by the Speaker of the House

The title was read—and ——

The President announced the signing of H. B. No. 201, entitled "A Bill for an Act "to pay for the Printing of the General "Assembly, and the Session and all other "Laws" ——

S. M. and J. R. No. 8, read 3d. time—and ——

Passed by following vote. ——

Ayes.—Messrs. Bates, Bennet, Butters, Clelland, De France, Ellsworth, Gardner, Gannon, Hamill, Hamilton, Haynes, Hersey, Hill, Johnson, Maxwell, McCandless, Moynahan, Randall and Saunders —— 19—

Noes, Mr Hall — 1

Absent and Not Voting
Messrs. Barela, Gleason, Meyers, Rockwell, Taylor and Webster — 6

Title agreed to.

Mr Ellsworth moved.
That the Senate now resolve itself into the Committee of the Whole on General File
Carried.

So the Senate went into Committee of the Whole with
Mr Maxwell in the Chair

The Committee of the Whole rose.
The Senate resumed its Session and
The following report was read.
Mr President
Your Committee of the Whole House have had under consideration the General File and
Report H. B. No. 20 back to the Senate with the recommendation that it be referred to Committee on Judiciary and

Report S. M. and J. R. No. 3. back to the Senate with the recommendation that it do pass.

J. P. Maxwell
Chairman

Mr Butler moved.
To adopt report
Carried

Mr Brunt moved
To adjourn until 10 am. to-morrow
Carried.

So at 12 O'clock and 15 minutes the Senate adjourned.

Journal of the Senate

January 19th 1877

Approved.

General Assembly of Colorado.

Senate
First Session.
Friday January 19th 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call

Absent - Messrs Rockwell and Taylor (excused)

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read & approved.

Message from the Governor.

State of Colorado
Executive Department
Denver Jan. 18th 1877.

Hon Lafayette Head
President of Senate

Sir

I have the honor to inform you, that I have this day signed Senate Bill No. 6, entitled "An act to provide "for the payment of certain claims for "Printing the Constitution of the State." and have filed the same with the Secretary of State

Very Respectfully
John L. Routt
Governor

Communication from Secretary of State.

State of Colorado
Secretary's Office
Denver Jan. 18th 1877

To the Honorable
The Senate of the State of Colorado
Gentlemen

Learning that an Act making an appropriation for the payment of the printing required by the General Assembly and of the Laws and Journals, has become a Law, I respectfully request that your Committee on Printing, furnish this Office as soon as practicable a memorandum of all Bills

Resolutions, Memorials and other matter ordered printed by your Honorable Body, up to this time, Otherwise I will have no means of knowing the amount of Printing done, nor will I be able to compute the amount due the printers under contract with the State

Most Respectfully
Your obt. Servt.
Wm. M. Clark
Secy. of State.

Reports of Standing Committees.

Committee on Finance, Ways and Means by its Chairman, Mr Butler, reported.

S. B. No. 34. entitled " A Bill for an act "to provide for Licensing Mercantile "Agents" back to the Senate with an amendment to Sec. 11. and the recommendation that when so amended it be placed on General File.

also

S. B. No. 23. entitled " A Bill for an "Act to provide for the payment of "the claims of S. D. Macdonald for pub-

"listing the Proclamation of the Gover-
"nor of Colorado Territory in reference
"to an Election for members of the Con-
"stitutional Convention" back to the
Senate, with the recommendation that
it do lie on the Table.

Committee on Enrollment by its
Chairman, Mr Johnson reported —
S. B. No. 18 entitled "A Bill for an Act
"to repeal an Act concerning Practice
"in the District and Probate Courts, appro-
"ved February 4th 1876" back to the Senate
correctly enrolled.

Mr Butler moved,
To adopt report of Committee on
Finance, Ways and Means — and
Place S. B. No. 34 on General file for reading —
Carried.

Committee on Engrossment by its
Chairman Mr Maxwell reported —
S. M. and J. R. No. 3. "Asking Congress to es-
"tablish and maintain a Mint for Coin-
"age at Denver Colorado — and
S. B. No. 30 entitled "A Bill for an Act
"for the Protection of Wild Game and In-

"Seditious Birds" back to the Senate correctly engrossed ——

Committee on Education School and University Lands, by its Chairman, Mr Maxwell reported ——
S. B. No. 37, entitled "A Bill for an Act "to establish and maintain a System of "Free Schools" back to the Senate with the recommendation that it be placed on General File in Committee of the whole. ——

Mr Maxwell moved ——
To adopt report of Committee on Engrossment on S. M. and J. R. No. 3 and S. B. No. 30 — Carried. ——

Committee on Federal Relations by its Chairman, Mr Bennet reported
S. B. No. 31 entitled "A Bill for an act "to provide for the Establishment of a "Fiscal Agency for the State of Colorado, "in the City of New York, and prescribing the "duties of Officers in relation thereto" back to the Senate with sundry amendments and the recommendation that they be adopted. and ——

S. B. No. 13, entitled "A Bill for an Act "to provide for the disposal of unclaimed "lands within Town Sites, located on "the Unsurveyed Public Domain" back to the Senate with the recommendation that it be indefinitely postponed. —

Joint Committee on Enrollment, by its Chairman, Mr Hamilton reported. —
S. B. No. 6, entitled "A Bill for an Act "to provide for the payment of certain "claims for Printing the Constitution "of the State" &c —
H. B. No. 201 entitled "A Bill for an Act "to pay for the Printing of the General "Assembly, and the Session, and all "other laws" presented to His Excellency the Governor for his approval, at 12[20] O'clock P.M. Jany. 18th 1877. —

Committee on Federal Relations, by Mr Saunders, reported —
S. M. & J. R. No. 7. "Asking Congress to "establish and maintain a Military "Post at Julesburg, or some other suitable point for the protection of the North-"Eastern portion of the State against "raiding parties of Hostile Indians" back

to the Senate with the recommendation that it be placed on file for 1st reading

Committee on Incorporations by its Chairman, Mr Ellsworth reported S. B. No. 35, entitled "A Bill for an Act "to regulate the compensation of the "Mayor, Aldermen, and Trustees of Cities "and Towns," back to the Senate with an amendment

Mr Ellsworth moved
To refer S. B. No. 35 and amendment thereto proposed by Committee on Incorporations to the Committee of the Whole.
Carried.

Reading of Bills

S. B. No. 119, entitled "A Bill for an Act "to provide for the payment of the balance "due A. R. Dyer and C. Dominguez for translating the Constitution of Colorado into "the Spanish Language"
Read 2nd time

Mr Butler moved.
To refer S. B. No. 119. to Committee on

Printing, with orders to print.
Carried.
S. B. No. 30, read 3d time and
Passed by following vote.

Ayes - Messrs. Barela, Bates, Bennett, Butters, Cleaver, Ellsworth, Gardner, Gaussoin, Hall, Haynes, Hill, Johnson, Maxwell, Meldrum, Randall, Saunders and Webster — 17

Noes. - Messrs. Clelland, Hamilton, Henson, Meyer and Monaghan. — 5

Absent and Not Voting
Messrs De France, Hamill, Rockwell and Taylor — 4

Title agreed to.

S. M. and J. R. No. 3, read 3d time and
Passed by following vote.

Ayes - Messrs. Barela, Bates, Bennett, Butters, Cleaver, Clelland, Ellsworth, Gardner, Gaussoin, Hall, Haynes, Henson, Hill, Johnson,

Maxwell, McLelland, Meyer, Moynahan, Saunders and Webster — 20.

Noes — None

Absent and Not Voting

Messrs De France, Hamill, Hamilton, Randall, Rockwell and Taylor — 6.

Title agreed to.

Mr Brunt moved.
To adopt report of Committee on Federal Relations on S.B. No. 31.
Carried.

Mr Brunt moved
That S.B. No. 31 be ordered Engrossed and Printed
Carried

Mr Brunt moved.
To adopt report of Committee on Federal Relations on S.B. No. 13, and
To adopt report of Committee on Incorporations on S.B. No. 35.
Carried.

Mr Bennet moved.
That S. B. No. 35 be ordered engrossed.
Carried.

Mr Maxwell moved
To adopt report of Committee on Education, School and University Lands on S. B. No. 37
Carried.

Mr Bennet moved.
That the Senate now resolve itself into the Committee of the Whole, on General File.
Carried.

So the Senate went into Committee of the Whole with
Mr Bennet in the Chair

The Committee of the Whole rose
The Senate resumed its Session, and
The following report was read.
Mr President.
Your Committee of the Whole House have had under consideration the General File, have made some progress and ask leave to sit again.

H. P. Brunet
Unanimous.

Mr Butler moved,
To receive report and
To grant request
Carried.

Mr Brunet moved
To adjourn
Carried

So at 12 O'clock and 15 minutes the Senate adjourned.

Afternoon Session

Senate met at 2 P.M.

Mr Johnson asked unanimous consent to present a report.
Consent granted and

Committee on Printing by its Chairman, Mr Johnson reported
Amendments to S. B. No. 67. entitled "A

"Bill for an Act to facilitate the recov-
"ery of Ore unlawfully taken by theft
"or trespass; to regulate the sale and
"disposition of Ore, and for the better
"protection of mine owners" back to the
Senate correctly printed.

Mr Hall moved.
That the Senate now resolve itself
into the Committee of the Whole
on General File.
Carried.

So the Senate went into Committee
of the Whole with
Mr Bennett in the Chair

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read.
Mr President.
Your Committee of the
Whole House have had under consider-
ation the General File, have made some
progress and ask leave to sit again
H. P. Bennett
Chairman

Mr Webster moved.
To receive report and
To grant request.
Carried

Mr Haynes moved.
To grant Mr Randall leave of absence
until Monday morning.
Division called for with following result
Ayes - 18.
Noes - None.

So the motion was carried.

Mr Ellsworth moved.
To grant Mr Harrell leave of absence
until Monday morning
Carried.

Mr Randall moved.
To grant Mr Haynes leave of absence
until Monday morning.
Carried.

Mr Maxwell moved.
To grant Mr Johnson leave of absence
until Monday morning.
Carried.

Mr Bennet moved
To adjourn
Lost.

Mr Henson moved
To grant the entire Senate leave of absence until Monday morning

Mr Bennet moved.
To lay motion on the Table
Carried

Mr Ellsworth moved.
To adjourn
Carried.

So at 5[15] P.M. the Senate adjourned.

Journal of the Senate.

January 20th 1877

Opened.

General Assembly of Colorado

Senate
First Session
Saturday January 20th 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll Call
Absent Messrs Haynes, Johnson, Randall,
Rockwell and Taylor (excused)
Bennet De France and Gardner
Quorum present

Prayer by the Chaplain

Mr Butters moved
To grant Mr Gardner leave of absence
until Monday morning
Carried

Journal of yesterday read, corrected and
approved

Reports of Standing Committees

Committee on Engrossment by its Chairman Mr Maxwell reported—

S.B. No 67 entitled—"A Bill for an Act to "facilitate the recovery of ores taken by theft "or trespass; to regulate the sale and dis- "position of the same, and for the better "protection of Mine owners"— and

S.B. No 35 entitled—"A Bill for an Act "to regulate the compensation of the "Mayor, Aldermen and Trustees of "Cities and Towns"—

back to the Senate with amendments correctly engrossed—

Committee on Printing by Mr Hall reported—

S.B. No 73 entitled—"A Bill for an Act "to prevent the firing of Woods and "Prairies"—

back to the Senate correctly printed—

Mr Hamill moved—

To adopt reports of Committee on Engrossment—

Carried—

Mr Hall moved—

To adopt report of Committee on Printing

Carried

Mr Hamill moved
To agree to report of Committee on Finance Ways and Means made on yesterday and Lay on the Table
S. B. No 23 entitled "A Bill for an Act "to provide for the payment of the Claim "of S. D. Macdonald for publishing the "proclamation of the Governor of Colorado " Territory in reference to an Election for "members of the Constitutional Convention"
Carried

Mr Meldrum moved
To adopt Report of Committee on Federal Relations made on yesterday and Place on file for 1st Reading
S. M. and J. R. No 7 "Asking Congress to "establish and maintain a Military Post "at Julesburgh or some other feasible "point for the protection of the North-"eastern portion of the State against "raiding parties of hostile Indians"
Carried

Joint Committee on Enrollment by its Chairman Mr Hamilton reported

S. B. No 18 entitled: "A Bill for an Act "to repeal an Act concerning Practice "in the District and Probate Courts, approved "February 4th 1876"
correctly enrolled and signed by the Speaker of the House

The Title was read and
The President announced the signing of S. B. No 18.

Mr Webster asked unanimous consent To make a report.
Consent granted and

Committee on Judiciary by Mr Webster reported
S. B. No 29 back to the Senate with the recommendation
To be placed on file for 1st Reading

Mr Ellsworth moved
To adopt report
Carried

Mr De France appeared and took his seat.

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver Jany 20th 1877
To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House has passed H. B. No 177 by a 2/3 vote.
H. B. No 177 is herewith transmitted
Respectfully
Y. B. Pelton
Chief Clerk of the House

Mr Webster asked unanimous consent To read Bills now on File for 1st reading
Consent granted

S. B. No 29 entitled "A Bill for an Act "to designate the Holidays to be observed "in the acceptance and payment of "Bills of Exchange and promisory notes, "in the holding of Courts and relative "to the continuance of suits"
Read 1st time

H. B. No 177 entitled "A Bill for an Act

"to amend Section 1 of an Act entitled 'An
"Act to provide for and regulate the hold=
"ing of the District Courts in the several
"judicial Districts in this State and the
"manner of commencing and adjourning
"the same and return of process and providing
"for transfer of causes therein and to repeal
"all other Acts in relation thereto' approved
"December 18th 1876"

Read 1st time

Unanimous consent being granted

S. B. No. 67

Read 3d time and

Passed by the following vote

Ayes Messrs Barela, Bates, Butters
Chacon, Clelland, Ellsworth
Gaussoin, Hall, Hamill, Hamil
ton, Henson, Hill, Maxwell,
Meldrum, Meyer, Moynahan
Saunders and Webster — 18

Noes — None

Absent and not voting

Messrs Bennet, De France, Gardner,
Haynes, Johnson, Randall

Rockwell and Taylor — 8

Title agreed to

S B No 35
Read 3d time and
Passed by the following vote

Ayes Messrs Barcla, Bates, Butters, Chacon, Clelland, Ellsworth, Gaussoin, Hall, Hamill, Henson, Hill, Maxwell, Meldrum, Meyer Moynahan, Saunders and Webster — 17

Noes — None

Absent and not voting
Messrs Bennet, De France, Gardner, Hamilton, Haynes, Johnson, Randall, Rockwell and Taylor — 9

Title agreed to

Mr Webster moved
To refer S. B. No 73 to Committee of the Whole
Carried

Mr Webster moved

That the Senate now resolve itself into the Committee of the Whole on S.B.N 37 entitled "A Bill for an Act "to establish and maintain a System "of Free Schools"

Carried

So the Senate went into Committee of the Whole with

Mr Webster in the Chair

The Committee of the Whole rose

The Senate resumed its session and

The following report was read.

Mr President

Your Committee of the Whole House have had under consideration S B 37 have made some progress and ask leave to sit again

W. W. Webster
Chairman

Mr Butters moved

To receive report and

To grant request

Carried

Mr Butters moved
To adjourn
Carried

So at 12 o'clock and 15 minutes the Senate adjourned

Afternoon Session

Senate met at 2 P. M.

Mr Hamilton asked unanimous consent to present a report
Consent granted

Joint Committee on Enrollment by it Chairman Mr Hamilton reported S. B. No 18 in the hands of His Excellency the Governor for his approval at 12 30 o'clock P. M. January 20th 1877

Mr Saunders moved
That the Senate now resolve itself into Committee of the Whole on S. B. No 37

Carried

So the Senate went into Committee of the Whole with
Mr Webster in the Chair.

The Committee of the Whole rose
The Senate resumed its Session and
The following report was read
Mr President
Your Committee of the Whole House have had under consideration S B No 37, have made some progress and ask leave to sit again
W. W. Webster
Chairman

Mr Butters moved
To receive report and
To grant request
Carried

Mr De France moved
To grant Mr Bennet leave of absence for afternoon Session
Carried

Mr Hamilton asked unanimous con=

Sent to present a report

Consent granted &c

Joint Committee on Enrollment by its Chairman Mr Hamilton reported House Joint Resolution No 7 &c

House Bill No 215

correctly enrolled and signed by the Speaker of the House

The Titles were read &c

The President announced the signing of H. J. R. No 7 "Providing for the relief of "the Orphan Children of Christopher Carson" Also of

H. B No 215 "An Act to provide for the purchase "of Law Books for the Library of the Supreme "Court"

Mr Gauseson moved

To adjourn until Monday morning at 10 o'clock

Carried

So at 4 15 P.M the Senate adjourned

Journal of the Senate

January 22nd 1877.

Approved.

General Assembly of Colorado

Senate
First Session
Monday January 22nd 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll Call

Absent - Messrs Taylor (excused) De France and Randall

Quorum present

Prayer by the Chaplain.

Journal of Saturday, Jany 20th, read and approved.

Mr Mizgalan moved.
To grant, the Doorkeeper Mr Kavanaugh leave of absence for this week.
Carried

Mr Maxwell moved.

To grant Mr Randall leave of absence for 10 days session
Carried.

Reports of Standing Committees

Committee on Incorporations by its Chairman, Mr Ellsworth reported.
S. B. No 26. entitled "A Bill for an Act to "provide for the formation of Corporations," back to the Senate, with sundry amendments and the recommendation that the amendments be ordered printed.

Mr Hamill moved.
To agree to report
Carried

Joint Committee on Enrollment by its Chairman, Mr Hamilton reported.
H. J. R. No 7. "Providing for the relief of the "Orphan Children of Christopher Carson" and

H. B. No. 215 entitled "A Bill for an Act "to provide for the purchase of Law Books "for the Supreme Court Library" as presented to His Excellency, the Governor for his approval, at 4 25 P. M. January 20th 1877

Reading of Bills

S. M. and J. R. No. 7. "Asking Congress to establish and maintain a Military Post at "Tulesbury or some other feasible point "for the protection of the North-Eastern "portion of the State against raiding parties of Hostile Indians"

Read 1st time

Mr Garrison moved.

To refer to Committee on Indian Affairs.

Carried.

S. B. No. 29 entitled "A Bill for an act to "designate the Holidays to be observed in "the Acceptance and Payment of Bills of Exchange, and Promissory Notes, in the Holding of Courts, and relative to the continuance of Suits"

Read 2nd time

Mr Hamill moved.

To refer to Committee on Printing with order to print

Carried.

H. B. No. 177 entitled "A Bill for an act

"to amend Section one of an act entitled
"an act to provide for and regulate the hold-
"ing of the District Courts in the several
"Judicial Districts in this State; and the
"manner of commencing and adjourning the
"same, and return of Process, and providing
"for transfer of causes therein, and to repeal
"all other acts in relation thereto' approved
"December 18th 1876" ——————

Read 2nd time ——————

Mr. Webster moved. ——————
To refer to Committee on Judiciary. ——
Carried. ——————

Message from the Governor.

State of Colorado
Executive Department
Denver Jany 20th 1877

Hon Lafayette Head
President of the Senate

Sir ——————

—————— I have the honor to inform
you, that I have this day signed Senate
Bill No. 18, entitled "An act to repeal
"an act concerning Practice in the district
"and Probate Courts, approved February 4th 1876"

and have filed the same with the Secretary of State

Very Respectfully
John L. Routt
Governor.

Mr Ellsworth moved.
That the Senate now resolve itself into the Committee of the Whole on General File

Carried.

So the Senate went into Committee of the whole, with
Mr Bennet in the Chair.

The Committee of the whole rose and
The Senate resumed its Session for the purpose of receiving the following

— Message from the House

State of Colorado
Chamber of the House of Representatives
Denver. Jan. 22nd 1877.
To the Honorable
The Senate of the State of Colorado
I am instructed to inform you

Honorable Body, that the House has concurred in all the Senate's amendments except the last to H. B. No. 31. I am also instructed to call the attention of your Honorable Body to what appears to the House to be a clerical error in the last amendment

Respectfully
W. B. Fellows
Chief Clerk of the House

The Senate again went into Committee of the Whole with
Mr President in the Chair

The Committee of the Whole rose.
The Senate resumed its Session &c.
The following report was read.
Mr President.

The Committee of the Whole House have had under consideration the General File &c have instructed me to report S. B. No. 37 entitled "A Bill for an act to "establish and maintain a system of "Free Schools" back to the Senate with sundry amendments &c the recommendations. That Sec. 102 be referred to the Committee on Judiciary.

That the question of numbering the Sections be referred to the Committee on Education, School and University Lands and

That the proposed amendments be adopted.

H. P. Brunet

Chairman

Mr Butters moved

To adopt report

Carried

Mr Ellsworth moved

To refer S. B. No. 37 to Committee on Education School and University Lands

Carried.

Mr De France appeared and took his seat

Mr Ellsworth moved

To take a recess until 2 P. M.

Carried

So at 12 O'clock and 15 minutes the Senate took a recess.

Afternoon Session

Senate met at 2 P.M.

Mr Ellsworth moved.
To take S. B. No. 34 from General File of the Committee of the Whole and placed on file for 1st reading
Carried.

Mr Ellsworth asked unanimous consent to take up bills on 1st reading
Consent granted-and

S. B. No. 34, entitled "A Bill for an Act "to provide for licensing Mercantile Agents"
Read 1st time.

Mr Butters moved
To take up H. B. No. 31 entitled "A Bill for "an act in relation to Marks and Brands upon "Flour, meal or other Goods"
Carried

Mr Butters moved
To correct clerical error in last amendment proposed by the Senate to H. B. No. 31 by inserting the word "not"

Carried.

Mr Gardner moved.
To take S. B. No. 73 entitled "A Bill for an "Act to prevent the firing of Woods and Prairies" from General File of Committee of the Whole and refer it to Committee on Agriculture and Manufactures
Carried.

Mr Harrell moved.
That the Senate now resolve itself into the Committee of the Whole on S. B. No. 32. entitled "A Bill for an act to "establish a State Board of Agriculture and "to define its duties"
Carried.

So the Senate went into Committee of the Whole with
Mr Harrell in the Chair

The Committee of the Whole rose and
The Senate resumed its session for the purpose of receiving the following

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver, Jan. 22nd 1877.

To the Honorable
The Senate of the State of Colorado.
I am instructed to inform your Honorable Body that the House has passed H. J. Resolutions No. 6 and 8. and S. J. Resolutions No. 1 and 6. Has amended and passed S. M. and J. R. No. 9 and has concurred in the Senate's amendments to H. B. No. 31. All the above specified Resolutions are herewith transmitted

Respectfully
W. B. Fellows
Chief Clerk of the House

The Senate again went into Committee of the Whole with
Mr Hamill in the Chair

The Committee of the Whole rose
The Senate resumed its session and
The following report was read.
Mr President
The Committee of the Whole House have had under consideration S. B. No. 32, have made sundry amend-

would therefore recommend the adoption thereof.

W. A. Hamill
Chairman

Mr Ellsworth moved

To agree to amendments to S. B. No. 32 proposed by the Committee of the Whole

Carried.

Mr Hamill moved.

To refer Sec. 5. 1. 24 and 9th subdivision of Sec 33 of S. B. No. 32 to Committee on Agriculture and Manufactures

Carried.

Mr De France asked unanimous consent to take up

S. M. and J. R. No. 9." Asking Congress for a "grant of Public Lands and Right of Way, "to the Golden, Georgetown and Central R. R. "Co"

Consent granted and

Mr De France moved

To concur in the amendment proposed by the House to S. M. and J. R. No 9

Ayes and Noes called with following result—

Ayes.—Messrs Baxter, Bates, Bennet Butters, Johnson, Clelland, De France, Ellsworth, Gaussion, Hall, Hamill, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, McCloud, Meyer, Moynahan, Rockwell, & Saunders—22.

Noes.—Mr Webster—1.

Absent & Not Voting.
Messrs Gardner, Randall and Taylor—3.

So the Senate concurred in the proposed amendment.

Mr Butters moved.
To suspend the Rules &
To read all Bills now on file for 1st reading. Carried.

H. J. R. No. 6, "Memorial for the appointment of a Commission to negotiate for the extinguishment of the Indian Title to all lands lying South of Parallel 38°30' North, in the State of Colorado"—
Read 1st time.

H. J. R. No. 8 "Memorial to the Honorable "the Senate, and House of Representatives "of the United States of America, in "Congress assembled, asking that a mail "Route be established between Ouray, "and Animas Forks in San Juan County" — Read 1st time

Mr Ellsmore then moved
To adjourn
Carried

So at 4³⁰ P.M. the Senate adjourned —

Journal of the Senate

January 23rd 1877.

Approved.

General Assembly of Colorado.

Senate
First Session
Tuesday, January 23rd 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding

Roll Call

Absent - Messrs Bates, Hill, Meldrum and Webster

Quorum present

Mr Ellsworth moved.
To grant Mr Bates leave of absence for today's session
Carried.

Prayer by the Chaplain

Journal of yesterday read & approved.

Reports of Standing Committees

Committee on Printing by its Chairman, Mr Johnson reported. ——

S. B. No 31 entitled "A Bill for an Act "to provide for the establishment of a Fiscal "Agency for the State of Colorado, in the "City of New York, and prescribing the duties "of Officers in relation thereto" ——
back to the Senate correctly printed ——

Mr McAdams appeared and took his seat ——

S. B. No 31, referred to Committee on Engrossment. ——

Committee on Public Lands by its Chairman Mr Randall, reported, ——

S. B. No. 43, entitled "A Bill for an Act "to provide for the Selection, Location, Appraisal, Sale and Leasing of State Lands" back to the Senate with sundry amendments and the recommendation that it be placed on General File in Committee of the whole-

---

Mr Ellsworth moved. ——

To adopt report of Committee on Public Lands ——

Carried. ——

Mr Hill appeared and took his seat ——

Mr Bromet introduced ——

S. C. R. No. 12 "In relation to Edmunds

"Compromise Bill" ——

Reading of Bills

S. B. No. 34, entitled "A Bill for an Act "to provide for Licensing Mercantile Agents"

Read 2nd time and

Referred to Committee of the Whole ——

H. J. R. No. 8, "Memorial to the Honorable "the Senate and House of Representatives "of the United States of America in "Congress assembled, asking that a "Mail Route be established between "Ouray and Animas Forks in San Juan "County" ——

Read 2nd time and

Referred to Committee of the Whole ——

H. J. R. No. 6, "Memorial for the appoint- "ment of a Commission to negotiate for "the extinguishment of the Indian Title "to all Lands lying South of Parallel "38° 30' North in the State of Colorado" ——

Read 2nd time, ——

Mr Gausman moved. ——

To refer H. J. R. No. 6, to Committee on In-

dian Affairs
Carried.

Mr Ellsworth moved.
That the Senate now resolve itself into the Committee of the Whole on General File
Carried.

So the Senate went into Committee of the Whole with
Mr De France in the Chair

The Committee of the Whole rose and
The Senate resumed its session for the purpose of receiving the following

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver Jan. 25th 1877.
To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House has amended S. B. No. 38, and passed it as amended.
The bill as amended is herewith trans-

mitted

Respectfully
W. B. Fellows
Chief Clerk of the House

Mr Webster appeared and took his seat

The Senate again went into Committee of the Whole with
Mr De France in the Chair

The Committee of the Whole rose
The Senate resumed its Session and
The following report was read
Mr President
The Committee of the Whole House have had under consideration S. B. No. 43, have made some progress and ask leave to sit again.
A. H. De France
Chairman

Mr Haynes moved
To receive report and
To grant request
Carried.

Mr Hamill moved.

To take a recess until 2 P. M.;
Carried.

So at 12 M. the Senate took a recess.

Afternoon Session

Senate met at 2 P.M.

Mr Ellsworth moved
That the Senate now resolve itself into the Committee of the Whole on General File
Carried.

So the Senate went into Committee of the Whole with
Mr De France in the Chair.

The Committee of the Whole rose
The Senate resumed its session and
The following report was read.
Mr President
The Committee of the Whole House have had under consideration

the General File.

Have considered H. J. R. No. 8. and recommend that it do pass - also.

Have considered S. B. No. 43, and recommend that it be re-referred to Committee on Public Lands

A. H. De France

Chairman

Mr. Clelland moved

To adopt report

Carried.

Mr. Hamilton asked unanimous consent to present a report.

Consent granted & c.

Joint Committee on Enrollment by its Chairman, Mr. Hamilton reported, H. B. No. 31, entitled "A Bill for an act "in relation to Marks & Brands upon Flour, "Meal & other Goods" correctly enrolled and signed by the Speaker of the House.

The title was read & c.

The President announced the signing of H. B. No. 31.

Mr Ellsworth asked unanimous consent to take up S. B. No. 38 entitled "A Bill for "an act to provide for the exercise of the "Right of Eminent Domain"

Consent granted. ^ad

Amendments proposed by the House read.

Mr Maxwell asked unanimous consent to present a report

Consent granted ^ad

Committee on Engrossment by its Chairman Mr Maxwell reported

S. B. No. 31 correctly engrossed.

Mr Maxwell moved

To suspend the rules ^ad

To read S. B. No. 31 2nd time

Carried.

S. B. No. 31 read 2nd time ^ad

Referred to Committee of the Whole.

Mr Johnson asked unanimous consent to present a report

Consent granted ^ad

Committee on Enrollment by its Chairman, Mr Robinson reported S. J. R. No. 1, S. J. R. No. 6, and S. M. and J. R. No. 9 correctly enrolled.

Mr Harrell moved
To adjourn
Carried.

So at 3.15 P.M. the Senate adjourned

Journal of the Senate

January 24th 1877

Append.

General Assembly of Colorado.

Senate
First Session
Wednesday, January 24th 1877

Senate met pursuant to adjournment —

Lieutenant Governor presiding —

Roll Call —

Absent — Mr De France —

Quorum present. —

Prayer by the Chaplain —

Journal of yesterday read & approved —

— Reports of Standing Committees —

Committee on Education, School and University Lands by its Chairman Mr Maxwell reported. —

S. B. No. 37 entitled "A Bill for an act to "establish & maintain a system of Free "Schools" back to the Senate with Sections

numbered and references adjusted and recommend its engrossment

Mr Maxwell moved.
To adopt report
Carried.

Joint Committee on Enrollment by its Chairman Mr Hamilton reported.
S. J. R. No. 1, S. J. R. No. 6 and S. J. M. and R. No. 9 correctly enrolled and signed by the Speaker of the House

Committee on Judiciary by its Chairman Mr Rockwell reported
S. B. No 121. entitled "A Bill for an act "regulating the Practice in case of Preliminary Examinations before Justices of "the Peace, while acting as conservators "of the Peace"
S. B. No. 127, entitled "A Bill for an act "to repeal Sec. 223 of Chap. 22 of the "Revised Statutes, and to enact other provisions in lieu thereof"

and

S. B. No. 125 entitled "A Bill for an act "to regulate the conditions of Appeal "Bonds and Supersedeas Bonds where the

"Judgment or Decree complained of, is "for the recovery of Land or the possess-"ion thereof" back to the Senate with the recommendation that they do pass.

Mr Rockwell moved.
To adopt report
Carried.

also

H. B. No. 177 entitled "A Bill for an act "to amend Section one of an act entitled "an act to provide for, and regulate the "holding of the District Courts in the "several Judicial Districts in this State, "and the manner of commencing and "adjourning the same, and return of "Process, and providing for transfer of "causes therein, and to repeal all other "acts in relation thereto" approved December 18th 1876" back to the Senate with two amendments and the recommendation that it do pass as amended.

Mr Randall moved.
To adopt report
Carried

also.

S. B. No. 105 entitled "A Bill for an act

"to abolish the Grand Jury System and "to provide for the organization of Courts "of Indictment in lieu thereof." back to the Senate with the recommendation that it be read 1st and 2nd times and referred to Printing Committee with order to print.

also

H. B. No. 46 entitled "A Bill for an Act "to provide for inflicting the death Penalty for the Crime of Murder, when the "party indicted shall plead guilty" back to the Senate with the recommendation that the Emergency Clause be stricken out and that the bill pass as so amended.

also

H. B. No. 30. entitled "A Bill for an Act "to provide in what manner the names "of parties may be changed, and such "parties be declared the heirs at law of "other persons and to repeal all existing "laws relating to the same subject" and H. B. No. 20, entitled "A Bill for an Act "to amend an act concerning costs in Criminal Cases" and

S. B. No. 120 entitled "A Bill for an Act "touching Attorneys at Law" back to the Senate with the recommendation that they

or indefinitely postponed.

Mr Rockwell moved
To adopt Reports
Carried.

Committee on Judiciary by Mr Bennett, reported.
S. B. No. 175. entitled "A Bill for an Act "relating to Criminal Jurisprudence" and S. B. No. 102. entitled "A Bill for an act "concerning Courts of Justices of the Peace" back to the Senate with the recommendation that they lie on the Table.

Mr Rockwell moved,
To adopt report
Carried.

Mr De France appeared and took his seat.

Committee on Printing by its Chairman Mr Coleman reported
Amendments to S. B. No. 26. entitled "A Bill "for an act to provide for the formation "of Corporations" back to the Senate correctly printed.

Mr Ellsworth moved
To adopt report
Carried.

Reading of Bills

S. B. No 121 read 1st time

S. B. No. 127. read 1st time.

S. B. No 105 read 1st time

S. B. No. 125 read 3rd time and
Passed by following vote

Ayes - Messrs. Barstow, Baker, Bennett,
Butters, Cleason, Clelland, Gardner
Gausson, Hall, Hamill, Hamilton
Henson, Hill, Maxwell, Meldrum,
Meyer, Moynahan, Randall, Saunders,
Taylor and Webster — 21.

Noes — None

Absent and Not Voting
Messrs. De France, Ellsworth, Haynes
Johnson, and Rockwell — 5.

Title agreed to.

H. J. R. No. 8. "Asking Congress that a "mail route be established between Ouray "and Animas Forks in San Juan County"—
Read 3d time and
Passed by following vote

Ayes:—Messrs Bates, Bennett, Butters, Cleason, Clelland, Gaidner, Garrison, Hall, Hamill, Hamilton, Henson, Hill, Maxwell, McAdams, Randall, Saunders, Taylor and Webster — 18.

Noes — None

Absent and Not Voting
Messrs Barela, De France, Ellsworth, Haynes, Johnson, Meyer Moynahan and Rockwell — 8.

Title agreed to.

The title was read and
The President announced the signing of S. J. R. No. 1. "~~Asking~~ Congress to pass a Law "Granting Ninety Thousand Acres of Land

"to the Agricultural College of the State of "Colorado" ——

S. J. R. No. 6. "Praying Congress to graduate "the price of Public Lands in the State of "Colorado, not susceptible of Irrigation." and S. J. Mem. and R. No. 9. "Asking Congress for a grant "of Public Lands and Right of Way, to the "Golden, Georgetown and Central Railroad Company" ——

S. C. R. No. 12. "In relation to Edmunds Compromise Bill" taken up and read. ——

Mr. Hamill moved ——
To indefinitely postpone. ——
Ayes and Noes called with following result—

Ayes—Messrs. Bates, Butters, Clelland, Ellsworth, Gardner, Garrison, Hamill, Henson, Hill, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Saunders, Taylor and Webster 18—

Noes—Messrs. Bennet, Chacon, and Hamilton —— 3.

Absent and Not Voting ——
Messrs. Baca, De France, Hall,

Haynes and Rockwell — 2 — 5.

So S. C. R. No. 12 was indefinitely postponed.

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver Jan. 24th 1877.

To the Honorable,

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has passed H. B. No. 28. which is herewith transmitted

Respectfully

W. B. Felton

Chief Clerk of the House

Mr. Bennet moved

To suspend the rules and

To take up H. B. No. 177

Carried.

H. B. No. 177 read 3d time and

Passed by following vote

Ayes.—Messrs Bates. Bennet. Butler.

Coleman, Ellsworth, Gardner, Garrison, Harrell, Hamilton, Henson, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Saunders, Taylor and Webster —— 19.

Noes. Messrs Clelland and Hill —— 2.

Absent and Not Voting ——
Messrs. Barela, Bucknell, De France, Haynes and Hall, —— 5.

Title agreed to. ——

Mr Ellsworth moved. ——
To concur in amendments proposed by the House to S. B. No. 38 entitled "A Bill for an "Act to provide for the Exercise of the Right "of Eminent Domain" as follows ——
In Lines 29 and 48 in Sec. 6 ——
" " 17 " " 10 ——
All of amendments " " 18. ——

Ayes and Noes called with following result ——

Ayes - Messrs Bates, Bennett, Butters, Coleman, Clelland, Ellsworth, Gardner,

Garesche, Hamill, Hargillers, Hensen, Hill, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Saunders, Taylor and Webster - 21.

Noes. ——— None.

Absent and Not Voting.
Messrs. Barela, DeFrance, Hall, Haynes and Rockwell ——— 5.

So the Senate concurred in the above mentioned amendments.

Mr Ellsworth moved:
That the Senate refuse to concur in amendments proposed by the House to S.B. No. 38 as follows:
In Line 40 to 48 in Sec. 6
" " 2 " " 7
Amendments " " 13
In Line 2 and 5 " " 14
" " 3 " " 15
Amendments " " 17

Ayes and Noes called with following result.

Ayes—Messrs Bates, Bennet, Butters, Chacon, Clelland, Ellsworth, Gardiner, Hamill, Hamilton, Henson, Hill, Johnson, Maxwell, Meldrum, Meyer, Mogeaban, Randall, Saunders, Taylor and Webster—20.

Noes ——————————— None

Absent and Not Voting ———
Messrs Barela, De France, Garrison, Hall, Haynes and Rockwell ——— 6.

So the Senate refused to concur in the above mentioned amendments ———

Mr Ellsworth moved ———
That the Senate now resolve itself into the Committee of the Whole on S. B. No. 26.
Carried. ———

So the Senate went into Committee of the Whole with ———
Mr Maxwell in the Chair ———

The Committee of the Whole rose. ———
The Senate resumed its session and ———
The following report was read. ———

Mr President

The Committee of the whole House have had under consideration S.B. No. 26 have made some progress and ask leave to sit again

J. P. Maxwell
Chairman

Mr Cleland moved
To receive report
To grant request
Carried

Mr Hession moved
To take a recess until 2 P.M.
Carried

So at 12 M. the Senate took a recess

Afternoon Session

Senate met at 2 P.M.

Mr Hamilton asked unanimous consent to make a report

Consent granted &c ——

Joint Committee on Enrollment by its Chairman Mr Hamilton reported ——
H. B. No. 31, S. J. R. No 1. S. J. R. No. 6, and S. M &c J. R. No. 9 presented to His Excellency, the Governor, for his approval at 12 O'clock P.M. Jany. 24 1877 ——

Mr Butler moved ——
That the Senate now resolve itself into the Committee of the Whole on S. B. No. 26 ——
Carried ——

So the Senate went into Committee of the Whole with ——
Mr Maxwell in the Chair ——

The Committee of the Whole rose ——
The Senate resumed its Session &c ——
The following report was read ——
Mr President ——
—— The Committee of the Whole House have had under further consideration S. B. No. 26. have made some progress and ask leave to sit again ——

J. P. Maxwell
Chairman

Mr Clelland moved.
To receive report and
To grant request
Carried

Mr Webster moved.
To adjourn
Carried

So at 5 P.M. the Senate adjourned.

Journal of the Senate

January 25th 1877

Approved

General Assembly of Colorado.

Senate
First Session
Thursday, January 25th 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll Call

Absent - Messrs De France, Hamill, Haynes and Rockwell.

Quorum present.

Prayer by the Chaplain

Messrs Hamill and Rockwell appeared and took their seats

Journal of yesterday read and approved

Mr De France appeared and took his seat

Petitions and Memorials

Mr Barela introduced

S. M. and J. R. 12 "To the Congress of the "United States praying for the estab-"lishment of a Military Post between "Forts Lyon and Union, and near to the "line between Colorado and New Mexico" Read 1st time

— Reports of Standing Committees —

Committee on Printing by its Chairman Mr Johnson reported

S. B. No. 54 entitled "A Bill for an Act "to provide for the Printing and Publish-"ing and Distribution of the Laws" back to the Senate with the recommendation that the Bill and amendments be referred to Committee of the Whole

Mr Maxwell moved

To adopt report

Carried

— also —

S. B. No 29. entitled "A Bill for an Act "to designate the Holidays to be observed "in the acceptance and payment of "Bills of Exchange and Promissory Notes "in the holding of Courts and relative

"to the continuance of suits;" and

S. B. No. 119 entitled "A Bill for an Act "to provide for the payment of the "balance due A. R. Dyer and C. Dom-"inguez for translating the Consti-"tution of Colorado into the Spanish "Language" back to the Senate correct-ly printed.

S. B. No. 29 and S. B. No. 119 referred to Committee of the Whole.

Committee on Federal Relations by its Chairman Mr Bennet, reported S. B. No. 47 entitled "A Bill for an "Act to provide for the Printing of the "Constitution of the United States, the "Declaration of Independence, the Ena-"bling Act and Constitution of the State "together with all the Laws of the State "in the most convenient and compact "form with an index to the same" back to the Senate with the recommenda-tion that the amendments be adopted and Bill as amended be ordered printed.

also

H. B. No. 192 entitled "A Bill for an "Act to provide for the disposition of

"Lots and Parcels of Land. held in Trust
"by the Corporate authorities of any
"town or by any Judge under the
"provisions of any Act of Congress or
"of the General Assembly of Colorado,
"or both, which are still undisposed
"of" back to the Senate with sundry
amendments and the recommendation
that they be adopted. ___

Mr Bromwell moved ___
To adopt report of Committee on Federal Relations on S. B. No. 47 and H. B. No. 192 ---
Carried ___

H. B. No. 192. referred to Committee of the Whole. ___

Committee on Military Affairs by its Chairman Mr McIlvain. reported ___
S. B. No. 140. entitled "A Bill for an Act
"to amend Chapter 61 of the Revised
"Statutes of Colorado" back to the Senate
without recommendation ___

Mr Barela moved. ___
To refer S. B. No. 140 to Committee on
Printing with order to print ___

Carried

Mr Haynes appeared and took his seat.

Mr Ellsworth (unanimous consent being given) moved

To request from the House the return of S. B. No. 38 entitled "A Bill for an "Act to provide for the Exercise of the "Right of Eminent Domain" for further consideration

Carried.

H. B. No. 28, entitled "A Bill for an Act "to establish the County of Routt"

Read 1st time.

S. B. No. 105, entitled "A Bill for an Act "to abolish the Grand Jury System, and "to provide for the organization of Courts "of Indictment in lieu thereof"

Read 2nd time

Mr Harrell moved.

To indefinitely postpone S. B. No. 105.

Mr De France raised point of order that the motion was out of order the Senate

having on yesterday adopted the report of Committee on Judiciary, whereby it was recommended that the bill be read 1st and 2nd time and printed

The question being referred to the Senate it was decided that the Point was well taken

Mr Randall moved
To reconsider the vote whereby the report of the Committee on Judiciary on S. B. No. 105 was adopted.
Carried.

The question then recurring on the motion to adopt Report of Committee on Judiciary it was
Carried.

Mr De France moved
To refer S. B. No. 105 to Committee on Printing with orders to print.
Carried.

S. B. No. 121 entitled "A Bill for an act "regulating the Practice in case of "Preliminary Examination before Justices

"of the Peace, while acting as conser-
"vators of the Peace"
Read 2nd time

Mr Taylor moved.
To refer to Committee on Printing with
orders to print.
Carried.

S. B. No. 127 entitled "A Bill for an act
"to repeal Sec. 223 of Chap. 22 of the Re-
"vised Statutes, and to enact other pro-
"visions in lieu thereof."
Read 2nd time

Mr Clelland moved.
To refer to Committee on Printing, with
orders to print
Carried.

Message from the Governor

State of Colorado
Executive Department
Denver, Jany. 24th 1877.

Hon Lafayette Head
President of Senate.
Sir

I have the honor to inform you that I have this day signed Senate Joint Resolutions Nos. 1 and 6 and Senate Memorial and Joint Resolution No. 9. and have filed the same with the Secretary of State

Very Respectfully
John L. Routt
Governor

Mr Ellsworth moved.
That the Senate now resolve itself into the Committee of the Whole on S. B. No. 26, entitled "A Bill for an act "to provide for the formation of Corpora-"tions"

Carried.

So the Senate went into Committee of the Whole with
Mr Maxwell in the Chair

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read.

Mr President

The Committee of the Whole House have had under con-

sideration S. B. No. 26, have made further progress and ask leave to sit again.

J. P. Maxwell
Chairman

The Senate moved
To receive report and
To grant request.
Carried.

The Senate moved,
To adjourn
Carried.

So at 12 M. the Senate adjourned

Afternoon Session.

Senate met at 2 P.M.

Mr Ellsworth moved
That the Senate now resolve itself into the Committee of the Whole on S. B. No. 26.
Carried

So the Senate went into Committee of the Whole with
Mr Maxwell in the Chair

The Committee of the Whole rose and
The Senate resumed its session for the purpose of receiving the following

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver, Jan. 25th 1877.

To the Honorable,
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House has amended and passed S. B. No. 70.

was passed S. B's No. 10 and 79; was passed H. B's No. 54, 182, 233, 272 and 199. — was adopted H. C. R. No. 17, and appointed Messrs Kittredge and Irwin, as members of the Committee on the part of the House, as contemplated in said Resolution — S. B. No. 38 is, upon the request of your Honorable Body hereby returned. — S. B's No. 10. 70, and 79 and H. B's No. 54, 182, 233, 272 and 199 and H. C. R. No. 17 is herewith transmitted —

Respectfully —
W. B. Fellows —
Chief Clerk of the House

The Senate again went into Committee of the Whole with —
Mr Maxwell in the Chair. —

The Committee of the Whole rose —
The Senate resumed its session and —
The following report was read. —
Mr President —
— The Committee of the Whole House have had under consideration S. B. No. 26 have made sundry amendments thereto and report the same back to the Senate with the recommendation

that the amendments be adopted that the bill as amended be then referred to the Committee on Engrossment and that such Committee be instructed to re-number and re-adjust the sections

J. P. Maxwell
Chairman

Mr Butler moved
To adopt the report
Carried

Mr Hamilton asked unanimous consent to present a report
Consent granted

Joint Committee on Enrollment by its Chairman Mr Hamilton reported H. B. No. 177 correctly enrolled and signed by the Speaker of the House

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The title was read
The President announced the signing of H. B. No. 177. entitled "A Bill for an Act "to amend Section one of an act entitled "an act to provide for, and regulate the "holding of the District Courts in the

"Several Judicial Districts in this State
" and the manner of commencing and
" adjourning the same, and return of
" Process, and providing for transfer of
" causes therein, and to repeal all other
" acts in relation thereto" approved De-
" cember 18th 1876"

Mr Bennett asked unanimous consent to introduce a Resolution

Mr Hamill objected

Mr Bennett moved,
To suspend the Rules.
Ayes and Noes called with following result.

Ayes - Messrs. Bennett, Butler, Chacon,
Ellsworth, Gardner, Hall, Hamill
Hamilton, Henson, Hill, Johnson,
Maxwell, Moynahan, Randall,
Saunders, Taylor and Webster — 17.

Noes - Messrs. Barela, Clelland and
Gunnison — 3.

Absent and Not Voting
Messrs Bates, De France, Haynes

Messrs. Meyer and Roosevelt — 6 —

So the Senate refused to suspend the rules.

Mr Hudson moved
To adjourn
Carried.

So at 5 30 P. M. the Senate adjourned —

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Journal of the Senate

January 26th 1877

Approved.

General Assembly of Colorado

Senate
First Session
Friday January 26th 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll Call

Absent - Messrs Bennett, De France and Weldman

Quorum present.

Mr Hamilton moved
To grant Mr Weldman leave of absence until Monday morning next
Carried.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Reports of Standing Committees

Committee on Fees and Salaries by its Chairman, Mr Haynes reported—
H. B. No. 8. entitled "A Bill for an Act "to provide for the Payment of Salaries "to Officers of the Executive and Judicial "departments of the State of Colorado" back to the Senate with Sundry amendments and a recommendation to adopt the same—

Committee on State Institutions and Public Buildings by its Chairman Mr Bates reported:—
S. B. No. 58 entitled "A Bill for an act "to repeal the existing laws relating "to the deaf Mute Institute of the State "of Colorado, and enact other provisions "in lieu thereof and to establish an Institute for the Education of the Blind" back to the Senate with the recommendation that it be filed for 1st reading.—

Committee on Education, School and University Lands by its Chairman, Mr Maxwell reported—
H. B. No. 76. entitled "A Bill for an act "to repeal Chapter Eighty-seven of the "Revised Statutes, and to provide for the "government and support of the Univer-

"sity of Colorado" back to the Senate with the recommendation that it be referred to Committee of the Whole.

Joint Committee on Enrollment by its Chairman, Mr Hamilton, reported.

House Bill No. 177 presented to His Excellency, the Governor, for his approval at 5th O'clock P. M. January 26th 1877

Mr De France appeared and took his seat.

Mr Hamill moved.
To receive reports of Committees on Fees and Salaries and State Institutions and Public Buildings.
Carried.

Mr Hamill moved.
To receive, adopt and agree to Report of Committee on Education, School and University Lands.
Carried.

Mr Rockwell moved.
To make Report of Committee on Fees and Salaries the Special Order for this day

after Regular Order of Business. —
Carried. —

Mr Rockwell moved. —
To request from the House, the return of H. B. No. 20, entitled "A Bill for an "Act concerning Costs in Criminal "Cases" for further consideration —
Carried. —

S. B. No. 70. entitled "A Bill for an Act "to repeal an act entitled an act concerning costs in certain cases, approved February 11th 1876" —
Taken up.
Mr Moynahan moved. —
To concur in amendments proposed by the House. —
Ayes and Noes called with following result. —
Ayes — Messrs. Banks, De France, Garrison, Hueson, Hill, Meyer, Moynahan, and Taylor — 8.

Noes. — Messrs Baker, Buttrix, Clemens, Clelland, Ellsworth, Gardner, Hamill, Haynes, Maxwell, Randall, Rockwell and Webster — 12.

Absent and Not Voting
Messrs Bennet, Hall, Hamilton
Johnson, Meldrum, and Saunders — 6.

So the Senate refused to concur in amendments proposed by the House to S. B. No. 70.

H. B. No. 199, entitled "A Bill for an Act "to pay Herman Beckerts for printing "One Thousand (1000) Copies of Election "Laws"
Read 1st time

H. B. No. 272, entitled "A Bill for an Act "to authorize Foreign Administrators and "Executors to act in this State"
Read 1st time.

H. B. No. 233, entitled "A Bill for an Act "to provide for the appointment of a "Commission to report a plan of organ-"ization of a State Reform School"
Read 1st time

Message from the House

State of Colorado

Chamber of the House of Representatives
Denver, Jan. 26th 1877.

To the Honorable
The Senate of the State of Colorado

Upon the request of your Honorable Body, H. B. No. 20 is hereby returned.

Respectfully
W. B. Fellows
Chief Clerk of the House.

H. B. No. 182 entitled "A Bill for an "Act to repeal Section one of an act entitled 'An act to incorporate the City "of Black Hawk, approved Feb. 10th A.D. "1865' relating to the appointment of a "Board of School Directors for said City "and to enact other provisions in lieu "thereof."
Read 1st time

H. B. No. 54, entitled "A Bill for an act "to repeal all existing Laws concerning "Chattel Mortgages and enact other "provisions in lieu thereof."
Read 1st time

S. Mem. & J. R. No. 12. "To the Congress of the

"United States, praying for the establish-
"ment of a Military Post between Forts
"Lyon and Union, and near to the line
"between Colorado and New Mexico" ——
Read 2nd time. ——

Mr Barela moved. ——
To refer to Committee on Printing with
orders to print. ——
Carried. ——

H. B. No. 28 entitled "A Bill for an Act to
"establish the County of Routt" ——
Read 2nd time and ——
Referred to Committee of the Whole ——

Mr Haynes moved. ——
To adopt report of Committee on State
Institutions and Public Buildings on S. B. No. 58.
Carried. ——

H. C. R. No. 17. "In relation to a Joint Com-
"mittee to consider bills relating to the Govern-
"ment, Management and Control of the State
"Penitentiary" ——
Read. ——

Mr Butler moved. ——

To Concur
Carried

The President appointed as members of Joint Committee, under H. C. R. No. 17. on the part of the Senate
Messrs Morgridge & McClelland.

Mr Rockwell moved
To reconsider the vote whereby the Senate indefinitely postponed H. B. No. 20.
Carried

Mr Rockwell moved.
To refer H. B. No. 20. to Committee on Judiciary
Carried

Special Order

The time designated for the consideration of H. B. No. 8 having arrived.

Mr Butters moved.
That the Senate now resolve itself into the Committee of the Whole on the Special Order
Carried.

So the Senate went into Committee of the Whole with ——
Mr Clelland in the Chair ——

The Committee of the Whole rose and —
The Senate resumed its session for the purpose of receiving the following ——

—— Message from the House ——

State of Colorado ——
Chamber of the House of Representatives ——
Denver Jan. 26th 1877 ——
To the Honorable ——
The Senate of the State of Colorado ——
—— I am instructed to inform your Honorable Body that the House has receded from its amendments to S. B. No. 70, which is herewith transmitted
The House has also passed H. B. No. 190 herewith transmitted ——
Respectfully ——
W. B. Fellows ——
Chief Clerk of the House ——

The Senate again went into Committee of the Whole with ——
Mr Clelland in the Chair ——

The Committee of the Whole rose.
The Senate resumed its session—
The following report was read.
Mr President

The Committee of the Whole House, have had under consideration H. B. No. 8, have made some progress and ask leave to sit again.

James Clelland, Chairman

Mr Butler moved.
To receive report—
To grant request.
Carried.

Mr Haynes moved.
To adjourn
Carried.

So at 12 O'clock & 15 minutes the Senate adjourned.

Afternoon Session

Senate met at 2 P.M.

Mr Hamilton asked unanimous consent to present a report
Consent granted &c

Joint Committee on Enrollment, by its Chairman, Mr Hamilton, reported H. J. R. No. 8, correctly enrolled and signed by the Speaker of the House.

The Title was read &c
The President announced the signing of H. J. R. No. 8. "Memorial to the Honorable "the Senate and House of Representatives "of the United States of America in Congress assembled asking that a Mail "Route be established between Ouray "&c Animas Forks in San Juan County"

Mr Randall moved,
That the Senate now resolve itself into the Committee of the Whole on the Special Order
Carried.

So the Senate went into Committee of the Whole-with.
Mr McClelland in the Chair

The Committee of the Whole rose
The Senate resumed its session and
the following report was read.
Mr President
The Committee of the Whole House have had under consideration H. B. No. 8, have made sundry amendments thereto and have instructed me to report the same back to the Senate with the recommendation that the amendments be adopted

James McClelland
Chairman.

Mr Webster moved.
To agree to the report
Carried.

Mr Butters moved.
To order amendments engrossed and file bill for 3rd reading
Carried.

Mr Webster moved.

That the Senate now resolve itself into the Committee of the Whole on General File

Carried.

So the Senate went into Committee of the Whole with

Mr Hill in the Chair.

The Committee of the Whole rose and

The Senate resumed its session for the purpose of receiving the following.

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver, Jan. 26th 1877.

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body, that the House has passed H. B. No. 219, which together with the evidence upon which the claims are based are herewith transmitted

Respectfully

W. B. Felker

Chief Clerk of the House

The Senate again went into Committee of the Whole with ——
Mr Hill in the Chair ——

The Committee of the Whole rose. ——
The Senate resumed its session —— and ——
The following report was read. ——
Mr President ——
—— The Committee of the Whole House have had under consideration the General File and have instructed me to report back to the Senate ——
H. B. No. 46 entitled "A Bill for an act "to provide for inflicting the Death Penalty for the Crime of Murder when the "Party indicted shall plead guilty" with amendment and the recommendation that the bill as amended be referred to Committee on Judiciary ——
—— also ——
S. B. No. 29 entitled "A Bill for an act "to designate the Holidays to be observed "in the acceptance and payment of "Bills of Exchange & Promissory Notes "in the holding of Courts and relative "to the continuance of suits" —— with amendment and the recommendation that the amendments be adopted

and bill as amended be filed for 3d reading. ——————

—————— also ——————

S. B. No. 119 entitled "A Bill for an "Act to provide for the payment of the "balance due A. R. Dyer and C. Dominguez "for translating the Constitution of "Colorado into the Spanish Language"—

—————— and ——————

H. B. No. 28 entitled "A Bill for an "Act to establish the County of Routt" without amendment and the recommendation that they be filed for 3d reading. ——————

—————— also. ——————

S. B. No. 31, entitled "A Bill for an act "to provide for the establishment of "a Fiscal Agency for the State of Colorado in the City of New York, and "prescribing the duties of Officers in "relation thereto" ——————
without amendment and the recommendation that the bill be engrossed for 3d reading. ——————

—————— also ——————

H. B. No. 192 entitled "A Bill for an "Act to provide for the disposition of "Lots and Parcels of Land, held in trust

"by the Corporate authorities of any
"Town or by any Judge under the
"provisions of any act of Congress,
"of the General Assembly of Colorado
"or both which are still undisposed
"of"

with amendment and the recommendation that the bill as amended be referred to Committee on Incorporations

also.

S. B. No 54 entitled "A Bill for an act
"to provide for the Public Printing and
"Publishing and Distribution of the Laws"
have made some progress in the latter
bill and ask leave to sit again.

I. W. Hill
Chairman

Mr Ellsworth moved.
To receive report-ed
To agree to the recommendations of the
Committee of the Whole.
Carried.

Mr Ellsworth moved.
To grant Mr Haynes leave of absence
until Monday morning.
Carried.

Mr De France asked ——

That the vote whereby H. B. No. 8 was referred to Committee on Engrossment for the purpose of having amendments engrossed, be reconsidered in order that he might have an opportunity to put himself upon the record in a more satisfactory manner ——

Consent granted—Ent. ——

Mr Ellsworth moved ——

To reconsider the vote whereby H. B. No. 8, was referred to Committee on Engrossment—

Carried. ——

Mr Butters withdrew his motion to refer H. B. No. 8. to Committee on Engrossment—

Mr Butters moved ——

To reconsider the vote whereby the amendments proposed by the Committee of the Whole to H. B. No. 8 were adopted ——

Carried ——

Mr De France moved ——

That further action on H. B. No. 8 be deferred until Monday at 2 P.M. and that it be made a Special Order for that time ——

Carried

Mr Ellsworth moved
To take a recess until 7 P.M.
Carried

So at 5[15] P.M. the Senate took a recess

Evening Session

Senate met at 7 P.M.

Mr Randall asked unanimous consent
to take up Bills on 1st reading
Consent granted

S. B. No. 58. read 1st time

H. B. No 190 entitled "A Bill for an act
"to provide a fund for the building and
"maintainance of the Agricultural College
"of Colorado"
Read 1st time

H. B. No. 219, entitled "A Bill for an "Act for the relief of Silas C. Bennet. "of Clear Creek County and Clarence P. "Hoyt of Jefferson County" ——

Read 1st time ——

Mr Ellsworth moved. ——

That the Senate now resolve itself into the Committee of the Whole on General File ——

Carried ——

So the Senate went into Committee of the Whole with ——

Mr Hill in the Chair ——

The Committee of the Whole rose. ——

The Senate resumed its session and ——

The following report was read. ——

Mr President, ——

—— The Committee of the Whole House have had under Consideration S. B. No. 54 have made sundry amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that the amendments be agreed to, and the bill as amended be engrossed and filed for 3rd reading ——

I. W. Hill
Chairman

Mr Webster moved.
To receive the report-ed
To agree to the amendments
Carried.

Mr Webster moved.
To order the Bill engrossed for 3d reading
Carried.

Mr Butler moved
To adjourn
Carried

So at 9.20 P.M. the Senate adjourned.

Journal of the Senate

January 27th 1877

Approved.

General Assembly of Colorado

Senate
First Session
Saturday January 27th 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding

Mr. Randall moved
To grant Mr. Maxwell leave of absence until Monday morning.
Carried

Mr. Ellsworth moved
To grant Mr. Bennet leave of absence until Monday morning, such leave of absence to date from yesterday morning
Carried.

Roll Call

Absent - Messrs Bennet, Haynes, Maxwell & Meldrum (excused) De France, Rockwell and Saunders

Quorum present

Prayer by the Chaplain

Mr Saunders appeared and took his seat

Journal of yesterday read, and approved.

Mr De France appeared and took his seat

Reports of Standing Committees

Joint Committee on Enrollment by its Chairman Mr Hamilton reported H. J. R. No. 8 presented to His Excellency the Governor for his approval at 3 O'clock P. M. January 26th 1877.

Committee on Printing by its Chairman Mr Johnson, reported Amendments to S. B. No. 28 entitled "A Bill "for an act regulating Elections and repealing all Territorial Acts upon the "subject" back to the Senate correctly printed

S. B. No. 28 and amendments to Committee of the Whole

also

S. B. No. 127 entitled "A Bill for an act "to repeal Sec. 223 of Chap. 22 of the "Revised Statutes and to enact other "provisions in lieu thereof"

and

S. B. No. 140 entitled "A Bill for an act "entitled an act to amend Chapter 61 "of the Revised Statutes of Colorado" back to the Senate correctly printed

S. B. No. 127 referred to Committee of the Whole

S. B. No. 140, placed on file for 1st reading.

<u>Committee on Enrollment</u> by its Chairman, Mr Johnson reported

S. B. No. 10 entitled "A Bill for an act "to extend the Right of Suffrage to women "of Lawful age, and otherwise qualified "according to the provisions of the Constitution"

and

S. B. No. 79, entitled "A Bill for an act "to provide for Publication and Distribution "of Official Reports" back to the Senate correctly enrolled.

S. B's No. 10 and 79 referred to Joint Committee on Enrollment.

Committee on Engrossment by Mr Saunders reported.
S. B. No. 119 entitled "A Bill for an act "to provide for the payment of the balance "due A. R. Dyer and C. Dominguez for "translating the Constitution of Colorado "into the Spanish Language" back to the Senate correctly engrossed.

also.

S. B No. 29. entitled "A Bill for an act "to designate the Holidays to be observed "in the acceptance and Payment of Bills "of Exchange and Promissory Notes, in the "holding of Courts and relating to the "continuance of suits"

Reading of Bills

S. B. No. 58. entitled "A Bill for an "Act to repeal the existing Laws relating to the Deaf Mute Institute of the "State of Colorado, and enact other pro-"visions in lieu thereof and to estab-"lish an Institute for the Education of "the Blind"

Read 2nd time

Mr Bates moved.
To refer to Committee on Education,
School and University Lands.
Carried.

H. B. No. 219. entitled "A Bill for an
"Act for the relief of Silas C. Bennett
"of Clear Creek County and Clarence
"P. Hoyt of Jefferson County"
Read 2nd time

Mr Randall moved
To refer to Committee on Finance, Ways
and Means
Carried.

Mr Bennett appeared & took his seat.

H. B. No. 190 entitled "A Bill for an act
"to provide a fund for the Building and
"Maintenance of the Agricultural College
"of Colorado."
Read 2nd time.

Mr Hamill moved
To refer to Committee on Finance, Ways

and Means
Carried.

H. B. No. 272, entitled "A Bill for an act
"to authorize Foreign Administrators and
"Executors to act in this State."
Read 2nd time and
Referred to Committee of the Whole.

H. B. No. 233 entitled "A Bill for an act
"to provide for the appointment of a Com-
"mission to report a plan of organization
"of a State Reform School"
Read 2nd time

Mr Randall moved
To refer to Committee on Finance, Ways
and Means.
Carried

H. B. No. 182 entitled "A Bill for an act
"to repeal Section one of an act entitled
"an act to incorporate the City of Black
"Hawk" approved Feb. 10th AD 1865, relating
"to the appointment of a Board of School
"Directors for said City and to enact
"other provisions in lieu thereof"
Read 2nd time.

Mr Ellsworth moved,
To refer to Committee on Education, School and University Lands
Carried

H. B. No. 199 entitled "A Bill for an act "to pay Herman Beckerts for Printing "One Thousand (1000) Copies of Election "Laws."
Read 2nd time.

Mr Ellsworth moved.
To refer to Committee on Finance, Ways and Means.
Carried.

H. B. No. 54 entitled "A Bill for an act "to repeal all existing Laws concerning "Chattel Mortgages and enact other pro-"visions in lieu thereof."
Read 2nd time
Mr Butters moved
To refer to Committee on Judiciary - Carried

S. B. No. 29 read 3rd time and
Passed by following vote

Ayes - Messrs. Bates, Brunt, Butters, Clemens, Clelland, De France, Ellsworth, Gardner, Gannon, Hall

Hamill, Hamilton, Hyerson, Hill, Johnson, Morgantown, Randall, Saunders, Taylor and Webster — 20.

Noes. — None.

Absent and Not Voting —
Messrs Barela, Haynes, Maxwell, Weldman, Meyer, and Rockwell — 6.

Title agreed to —

H. B. No. 28 entitled "A Bill for an act to "establish the County of Routt" —
Read 3rd time and —
Passed by following vote —

Ayes — Messrs Bates, Bennet, Butters, Chacon, Ellsworth, Gardner, Hall, Hamill, Hixson, Johnson, Meyer, Morgantown, Randall, Saunders, Taylor and Webster — 16.

Noes — Messrs Clelland, Garrison, Hamilton and Hill — 4.

Absent and Not Voting —
Messrs Barela, De France, Haynes

Maxwell, McKelvan and Rockwell—6.—

Title agreed to

S. B. No. 140. read 1st time

Mr Ellsworth moved.
That the Senate now resolve itself into the Committee of the Whole on General File

Carried.

So the Senate went into Committee of the Whole with
Mr Johnson in the Chair.

The Committee of the Whole rose.—
The Senate resumed its session and
The following report was read.
Mr President
The Committee of the Whole House have had under consideration the General File and have instructed me to report back to the Senate
H. B. No. 272 and S. B. No. 34 entitled "A Bill "for an act to provide for Licensing Mercantile agents" without amendment and the recommendation that they be referred

to Committee on Judiciary;

also,

S. B. No. 127, without amendment and the recommendation that it do pass.

Albert Johnson

Chairman

Mr Bennett moved.

To adopt report.

Carried.

Mr Hamill moved.

To adjourn until Monday at 10 am.

Carried.

So at 12 m. the Senate adjourned.

Journal of the Senate.

January 29th 1877

Append.

General Assembly of Colorado.

Senate
First Session
Monday, January 29th 1877

Senate met pursuant to adjournment —

Lieutenant Governor presiding —

Roll Call —

Absent – Messrs De France, Harrell, Weldman, Taylor and Webster —

Quorum present —

Mr Johnson moved —
To grant Mr Harrell leave of absence for to-days session —
Carried —

Prayer by the Chaplain —

Journal of Saturday Jany 27th read and approved. —

Mr Morgenthau moved —

To grant the Doorkeeper Mr Kavanaugh leave of absence until Friday next.
Carried.

Mr Webster appeared and took his seat.

Reports of Standing Committees

Committee on Printing, by its Chairman Mr Johnson, reported
S. B. No. 47 entitled "A Bill for an act "to provide for the Printing of the Constitution of the United States, the Declaration of Independence, the Enabling "Act and Constitution of the State, together with all the Laws of this State "in the most convenient and compact "form, with an Index to the same" and
S. B. No. 105, entitled "A Bill for an act "to abolish the Grand Jury System and "to provide for the organization of Courts "of Indictment in lieu thereof" back to the Senate correctly printed.

also

S. B. No. 61 entitled "A Bill for an act "concerning Counties and County Officers and "County Government and repealing all Laws "on these subjects" back to the Senate cor-

rectly printed except.
That in Sec. 44. Line 11 between the words "such" and "duties" insert the word "special."
In Sec. 51. Line 2. the word "three" should be "two" — and
In Sec. 74. Line 1. the word "when" should be "whenever"

Committee on Penitentiary, by its Chairman, Mr Moynahan, reported — S. B. No. 99 entitled "A Bill for an Act "concerning Jails" back to the Senate with the recommendation that it do lie on the Table.

Joint Committee on Enrollment, by its Chairman, Mr Hamilton reported — S. B. No. 10 and S. B. No. 79 back to the Senate correctly enrolled and signed by the Speaker of the House.

Mr Moynahan moved
To adopt report of Committee on Penitentiary on S. B. No. 99.
Carried

Senate Bills No. 61. 47 and 105 referred to Committee of the Whole.

Resolutions

Mr Butters offered the following resolution and asked unanimous consent to consider at this time.

"Resolved

"That from this date the time "of meeting of the Senate shall be 9 O'clock "a.m. and 2 O'clock P.M. unless otherwise ordered"

Consent granted to consider and

Mr Butters moved

To adopt the resolution

Carried.

Mr Rockwell introduced

S. C. R. No. 13. "Fixing date for final adjournment of this General Assembly"

Reading of Bills

S. B. No. 140 entitled "A Bill for an Act "to amend Chapter 61 of the Revised Statutes of Colorado"

Read 2nd time

Mr Rockwell moved.

To refer to Committee on Finance, Ways and Means

Carried.

Mr Taylor appeared and took his seat

S. B. No. 119 entitled "A Bill for an Act "to provide for the payment of the balance "due A. R. Dyer and C. Dominguez for trans-"lating the Constitution of Colorado into "the Spanish Language"

Read 3rd time and

Passed by following vote.

Ayes - Messrs. Barela, Baker, Bennett, Butters, Clarcon, Clelland, Ellsworth, Gardner, Gunsaw, Hall, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meyer, Moynahan, Randall, Saunders, Taylor and Webster — 22.

Noes. — None

Absent and Not Voting

Messrs De France, Hamill, Weldon, and Rockwell — 4.

Title agreed to.

The title was read — and

The President announced the signing of S. B. No. 10, entitled "A Bill for an act "to extend the Right of Suffrage to Women of Lawful Age, and otherwise qualified according to the provisions of the "Constitution" — and

S. B. No. 79, entitled "A Bill for an act "to provide for Publication and Distribution "of Official Reports"

Mr Butters moved

That the Senate now resolve itself into the Committee of the Whole on General File.

Carried

Mr De France appeared and took his seat

So the Senate went into Committee of the Whole with

Mr Webster in the Chair.

The Committee of the Whole rose.

The Senate resumed its session and

The following report was read

Mr President

The Committee of the Whole

House have had under consideration S. B. No. 28 entitled "A Bill for an act "regulating Elections and repealing "all Territorial Acts upon the subject" have made some progress and ask leave to sit again

W. W. Webster
Chairman

Mr Gardner moved.
To receive report — Carried
To grant request.
Carried.

Mr Hamilton asked unanimous consent to present a report
Consent granted — Carried

Joint Committee on Enrollment by its Chairman, Mr Hamilton, reported H. B. No. 28 correctly enrolled and signed by the Speaker of the House

The title was read — Carried
The President announced the signing of — H. B. No. 28 entitled "A Bill for an act "to establish the County of Routt"

Mr Solomon asked unanimous consent to present a report.
Consent granted and

Committee on Enrollment by its Chairman. Mr Solomon reported
S. B. No 70. entitled "A Bill for an Act "to repeal an act entitled 'An Act concerning costs in certain cases approved "Feby 11th 1876'." back to the Senate correctly enrolled.

S. B. No. 70 referred to Joint Committee on Enrollment

Mr Maxwell moved
To adjourn
Carried.

So at 12 O'clock and 10 minutes the Senate adjourned.

"Afternoon Session"

Senate met at 2 P.M.

Mr Bennett asked unanimous consent to present a report
Consent granted — Ed

Committee on Federal Relations by its Chairman Mr Bennett reported S. B. No. 118 entitled "A Bill for an act "to preserve the Public Health" back to the Senate, with sundry amendments and the recommendation that the bill as amended be referred to the Committee on Printing with order to print.

Mr Bennett moved
To refer S. B. No. 118 as amended to Committee on Printing with order to print.
Carried

Mr Hamilton asked unanimous consent to present a report
Consent granted — Ed

Joint Committee on Enrollment by its Chairman, Mr Hamilton reported —

Senate Bills No. 10 and 79 and H. B. No. 28, presented to His Excellency, the Governor, for his approval, at 12 o'clock P.M. January 29th 1877.

Special Order

The hour having arrived for the consideration of

H. B. No. 8 entitled "A Bill for an Act to "provide for the payment of Salaries to "Officers of the Executive and Judicial "Departments of the State of Colorado"

Mr De France moved

To amend Section 1, by striking out all that provides for an appropriation for Private Secretary to the Governor.

Ayes and Noes called with following result

Ayes - Messrs. Banta, Clelland, De France, Gannson, Hamilton, Hill and Taylor — 7

Noes - Messrs. Bennet, Butters, Chacon, Ellsworth, Gardner, Hall, Haynes, Henson, Johnson, Maxwell, Meyers

Morgridge, Randall, Saunders, and Webster ——— 15

Absent and Not Voting ———
Messrs Baker, Meldrum, Rockwell and Harrell ——— 4

So the motion to amend was Lost. ———

Mr Butters moved ———
To amend Section 1 by striking out the words "and the further sum of two hundred dollars for the payment of a Private "Secretary" and inserting in lieu thereof of the words "And his Private Secretary "a Salary of Twelve Hundred Dollars" — Carried. ———

Mr De France moved ———
To amend Section 1 by fixing the Salary of the Private Secretary at $1000 — instead of $1200 — ———
Ayes and Noes called with following result. ———

Ayes — Messrs Barela, Clelland, De France, Gausman, Hamilton, Hill and

Taylor — 7

Noes — Messrs. Bennet, Butters, Cleaves, Ellsworth, Gardner, Hall, Haynes, Henson, Johnson, Maxwell, Meyer, Moynahan, Randall, Saunders and Webster — 16.

Absent and Not Voting —
Messrs Bates, Hamill, Weldman and Rockwell — 4.

So the motion to amend was — Lost.

Mr De France moved. —
To amend Section 1, by fixing the Salary of the Secretary of State at $1800 — instead of $2000 —
Ayes and Noes called with following result —

Ayes — Messrs Banks, Clelland, De France, Gaussier, Hamilton, Hill and Taylor — 7

Noes — Messrs Bennet, Butters, Cleaves, Ellsworth, Gardner, Hall, Haynes

Hinson, Johnson, Maxwell, Meyer,
Morgenthau, Randall, Saunders,
and Webster ——— 15

Absent and Not Voting ———
Messrs Bates, Hamill, Meldrum
and Rockwell ——— 4.

So the motion to amend was ———
Lost. ———

Mr Ellsworth moved ———
To amend Section 1, by fixing the Salary of the Judges of the Supreme Court at $3250 - instead of $3000 — ———
Ayes and Noes called with following result ———

Ayes— Messrs Bennet, Butters, Ellsworth,
Gardner, Gunnison, Hall, Hamilton, Hinson, Johnson, Maxwell,
Meyer, Morgenthau, Rockwell and
Webster ——— 14.

Noes— Messrs Banks, Gleason, Clelland,
De France, Haynes, Hill, Randall
and Saunders ——— 8

Absent and Not Voting

Messrs Bates, Hamill, Meldrum and Taylor — 4

So the motion to amend was carried.

Mr DeFrance moved.
To amend Section 1, by fixing the Salary of Chief Clerk to Secretary of State at $1000 - instead of $1200 -
Ayes and Noes called with following result.

Ayes. Messrs Barela, Clelland, DeFrance, Garrison, Hamilton, Haynes and Hill — 7

Noes. Messrs Brunt, Butters, Clason, Ellsworth, Gardner, Hall, Hunson, Johnson, Maxwell, Meyer, Moynahan, Randall, Rockwell, Saunders and Webster — 15

Absent and Not Voting
Messrs Bates, Hamill, Meldrum and Taylor — 4

So the motion to amend was
Lost.

Mr Butters moved.
To agree to report of Committee of the Whole on H. B. No. 8 and amendments thereto.
Ayes and Noes called with following result.

Ayes. Messrs. Brunet, Butters, Cleacox, Ellsworth, Gardner, Hall, Haynes, Henson, Johnson, Maxwell, Meyer, Mcquahan, Randall, Rockwell, Saunders and Webster — 16

Noes. Messrs Barela, Clelland, De France, Jameson, Hamilton and Hill — 6

Absent and Not Voting
Messrs Bates, Hamill, McAdams and Taylor — 4

So the motion to adopt was
Carried.

Mr Butters moved.
To order amendments engrossed and
To file bill for 3rd reading.

Carried.

Mr Ellsworth moved.
That the Senate now resolve itself into the Committee of the Whole on General File.
Carried.

So the Senate went into Committee of the Whole, with
Mr Webster in the Chair

The Committee of the Whole rose.
The Senate resumed its session &c
The following report was read.
Mr President.
The Committee of the Whole House have had under consideration the General File, have made further progress with S. B. No 28 and ask leave to sit again.
W. W. Webster
Chairman.

Mr Ellsworth moved.
To receive report &c
To grant request.
Carried.

Mr Ellsworth moved,
To take a recess until 7 P.M.
Carried,

So at 5 P.M. the Senate took a recess

Evening Session

Senate met at 7 P.M.

Mr Butters moved
That the Senate now resolve itself into the Committee of the Whole on General File.
Carried.

So the Senate went into Committee of the Whole with
Mr Webster in the Chair,

The Committee of the whole rose.
The Senate resumed its session and
The following report was read,
Mr President

The Committee of the Whole House have had under consideration the General File, have made further progress with S. B. No. 28 and ask leave to sit again

W. W. Webster
Chairman,

Mr Butters moved.
To receive report &c
To grant request.
Carried.

Mr Haynes moved.
To adjourn
Carried.

So at 9 P.M. the Senate adjourned.

Journal of the Senate

January 30th 1877

Approved.

General Assembly of Colorado.

Senate
First Session
Tuesday January 30th 1877.

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll Call.

Absent—Messrs Barela Baker Chacon
Hamill, Meldrum and Taylor

Quorum present.

Mr Johnson moved
To grant Mr Hamill indefinite leave
of absence
Carried

Journal of yesterday read and approved

Mr Taylor appeared and took his seat

Reports of Standing Committees

Committee on Printing by its Chairman, Mr Robinson reported ——

S. B. No. 121 entitled "A Bill for an act "regulating the Practice in case of Preliminary examination before Justices "of the Peace while acting as conservators of the Peace" - and

S. M. and J. R. No. 12 "Praying Congress for the "establishment of a Military Post between Forts Lyon and Union, and near "the line between Colorado and New Mexico" back to the Senate correctly printed ——

S. B. No. 121 and S. M. and J. R. No. 12 referred to Committee of the Whole ——

Committee on Education, School and University Lands by its Chairman, Mr Maxwell, reported ——

H. B. No. 182 entitled "A Bill for an act "to repeal Section one of an act entitled "'An act to incorporate the City of Black "Hawk' approved Feb. 10th AD. 1865 relating "to the appointment of a Board of School "Directors for said City and to enact other "provisions in lieu thereof" back to the Senate without amendment and the recommendation that it do pass ——

H. B. No. 182 referred to Committee of the Whole.

also.

S. B. No 58. entitled "A Bill for an act "to repeal the existing laws relating "to the Deaf Mute Institute of the State "of Colorado, and enact other provisions "in lieu thereof and to establish an In-"stitute for the Education of the Blind" back to the Senate with sundry amend-ments and the recommendation that the bill as amended be engrossed and printed.

Committee on Engrossment by its Chairman, Mr Maxwell, reported

S. B. No. 31. entitled "A Bill for an act to "provide for the establishment of a Fiscal "Agency for the State of Colorado, in the "City of New York, and prescribing the duties "of officers in relation thereto"

S. B. No. 54. entitled "A Bill for an act to "provide for the Public Printing and Publish-"ing and Distribution of the Laws"

S. B. No. 26. entitled "A Bill for an act "to provide for the formation of Corpora-"tions" and amendments to the same

Amendments to H. B. No. 8 entitled "A Bill for an act to provide for the payment

"of Salaries to Officers of the Executive
"and Judicial Departments of the State of
"Colorado" — and

S. B. No. 127, entitled "A Bill for an Act
"to repeal Sec. 223 of the Revised Statutes
"and to enact other provisions in lieu
"thereof" back to the Senate, correctly
engrossed.

Committee on Finance, Ways and Means
by its Chairman, Mr Butters, reported —
S. B. No. 140 entitled "A Bill for an Act
"to amend Chapter 61 of the Revised Stat-
"utes of Colorado" back to the Senate with
amendments.

Joint Committee on Enrollment by
its Chairman Mr Hamilton reported, —
S. B. No. 70 correctly enrolled and signed
by Speaker of the House.

Mr Maxwell moved
To adopt report of Committee on Ed-
ucation, School and University Lands on
S. B. No. 58.
Carried.

Mr Butters moved

To agree to amendments proposed by Committee on Finance, Ways, and Means to S. B. No. 140.

Carried.

Mr Butters moved.
To refer S. B. No. 140 to Committee on Engrossment.
Carried.

Messrs Banks and Cleaver appeared and took their seats.

Reading of Bills

S. B. No. 31, read 3rd time and
Passed by following vote

Ayes. Messrs Bennett, Butters, Cleaver, Gardner, Garrison, Hall, Haynes, Hearson, Johnson, Maxwell, Meyer, Moynahan, Randall, Rockwell, Saunders, Taylor and Webster — 17.

Noes. Messrs Clelland, De France, and Hamilton — 3.

Absent and Not Voting

Messrs. Barela, Bates, Hamill, Hill, Ellsworth and Meldrum — 6

Title agreed to.

S. B. No. 127. read 3d time and Passed by following vote

Ayes — Messrs. Brunot, Butters, Clancy, Clelland, De France, Gardner, Gausson, Hall, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meyer, Mogicalum, Randall, Rockwell, Saunders, Taylor and Webster — 21

Noes. — None

Absent and Not Voting

Messrs. Barela, Bates, Ellsworth, Hamill and Meldrum — 5

Title agreed to.

Mr Bates appeared and took his seat

S. B. No. 54. read 3d time. and

Passed by following vote.

Ayes—Messrs. Bates, Bennet, Butters, Chacon, Clelland, De France, Ellsworth, Gardner, Gaussoin, Hall, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meyer, Moynahan, Randall, Saunders, Taylor and Webster — 22.

Noes. — None

Absent and Not Voting
Messrs Banta, Hamill, Meldrum, and Rickwell — 4.

Title agreed to.

H. B. No. 8 read 3d time and
Passed by following vote

Ayes—Messrs Bates, Bennet, Butters, Chacon, Ellsworth, Gardner, Hall, Henson, Johnson, Maxwell, Meyer, Moynahan, Randall, Saunders and Webster — 15.

Noes—Messrs Clelland, De France, Gaus-

son, Hamilton, Haynes, Hill and Taylor — 7

Absent and Not Voting.
Messrs. Barela, Hamill, McEldrum, and Rockwell — 4

Mr Bromet moved.
To reconsider the vote whereby H. B. No. 8 was passed.
Carried

Mr Buttrus moved
To make the consideration of H. B. No. 8 the Special order for 2 30 P.M. to-day.
Carried

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver Jan. 29th 1877

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body, that the House has passed S. B. No. 55 and 147 and S. M. and J. R. Nos. 3 and 8: has amended and passed

S. B. Nos. 67. and 77. and has passed House Bills Nos. 67. 206. 221. 232, 236. and 265, all of which are herewith transmitted

The concurrence of the Senate is requested

Respectfully

W. B. Felker

Chief Clerk of the House

S. B. No. 55 entitled "A Bill for an act "to compel Owners of Coal mines to fence "their slack Piles and abandoned Pits"

S. B. No. 147 entitled "A Bill for an act "to provide for the proper representation "of the Products and Manufactures of the "State of Colorado, at the Paris Exposition "in the year A.D. 1878

S. M. and J. R. No. 3 "Asking Congress to establish and maintain a Mint for Coinage "at Denver" - and

S. M. and J. R. No. 8. "Memorial to Congress for "Grant of Arid Lands for Irrigating Purposes"

Referred to Committee on Enrollment

S. B. No. 26 read 3d time and

Passed by following vote

Ayes.—Messrs Banks, Bennett, Butters, Chacon, Clelland, De France, Ellsworth, Gardner, Gaussoin, Hall, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meyer, Moynahan, Rockwell, Saunders, Taylor and Webster ——— 22

Noes. ——— None

Absent and Not Voting ———
Messrs. Bates, Hamill, Meldrum, and Randall ——— 4

Title agreed to. ———

Mr Saunders (unanimous consent being given) offered the following resolution—
"Resolved ———
" ——— That the Committee on Printing "be instructed to order printed 100 copies "of Blank Circular Letter to enable the "Chairman of Committee on Immigration "to answer inquiries often made in re-"gard to Immigration to this State" ———

Mr Ellsworth moved ———
To adopt the resolution ———

Division called for with following result.

Ayes. - 9

Noes. - 11

So the motion was

Lost.

Mr. Ellsworth asked unanimous consent to present a report.

Consent granted. Ed.

Committee on Incorporations by its Chairman Mr. Ellsworth reported, H. B. No. 192. entitled "A Bill for an "Act to provide for the disposition of Lots "and Parcels of Land held in Trust by the "Corporate Authorities of any town or by "any Judge under the provisions of any "act of Congress or of the General Assembly of Colorado, or both which are "still undisposed of" back to the Senate with amendments.

Mr. Haynes moved.

To adopt amendment to H. B. No. 192. proposed by Committee on Incorporations

Carried.

Mr Ellsworth moved

To order amendments to H. B. No. 192 engrossed.

Carried.

Message from the Governor

State of Colorado
Executive Department
Denver Jany 29 1877.

Hon Lafayette Head
President of Senate

Sir

I have the honor to inform you that I have this day signed Senate Bill No. 10 entitled "An Act to extend the "Right of Suffrage to Women of Lawful "age and otherwise qualified according to "the provisions of the Constitution" & also Bill No. 79 entitled "An act to provide for "Publication and Distribution of Official "Reports" and have filed the same with the Secretary of State

Very Respectfully
John L. Routt
Governor

Mr Brunk moved,

To adjourn
Carried.

So at 12 M. the Senate adjourned.

Afternoon Session

Senate met at 2 P.M.

The title was read 2nd
The President announced the signing of S. B. No. 70 entitled "A Bill for an act "to repeal Sec. 2. of an Act entitled an "act concerning Costs in certain cases "approved Feby. 11th 1876"

S. B. No. 67. entitled "A Bill for an Act "to facilitate the recovery of or cattle "by theft or trespass. to regulate the sale "and disposition of the same and for the "better protection of man owners" and amendments proposed by the House.
Taken up.

Mr. Morgadora moved

To postpone action on the same.
Carried.

S. B. No. 77. entitled "A Bill for an act "concerning Interest" and amendments proposed by the House
Taken up.

Mr Butters moved.
To concur in amendments
Ayes and Noes called with following result

Ayes - Messrs Barclay, Bates, Brewest, Butters, Clemens, Clelland, Ellsworth, Gardner, Gaussion, Hamilton, Haynes, Hewson, Johnson, Maxwell, Meyer, Randall, Taylor and Webster — 18 —

Noes. - Messrs De France and Moynahan — 2 —

Absent and Not Voting
Messrs Hall, Hamill, Hill, Meldrum, Rockwell and Saunders — 6 —

So the Senate concurred in amendments proposed by the House to S. B. No 77 —

S. B. No. 77. referred to Committee on Enrollment.

S. C. R. No. 13 "Fixing date for final adjournment of this General Assembly" Taken up and Read

Mr Bennet moved To postpone action for the present Carried.

Mr Bates asked unanimous consent to present a report Consent granted and

Committee on State Institutions and Public Buildings by its Chairman, Mr Bates reported S. B. No. 49 entitled "A Bill for an act "to provide for the construction of Buildings used for Public assemblages" and S. B. No. 60 entitled "A Bill for an act "for the Establishment and Location of "Hospital for the Insane of the State, "and to provide rules for the regulation "and Government of the same." back to the Senate with the recommendation that the bills be filed for 1st reading.

Mr Gardner moved.
To adopt report
Carried.

Mr Hill asked unanimous consent to present a report.
Consent granted ~~and~~

The Special Committee appointed to consider S. B. No. 36, entitled "A Bill for "an act to prohibit the Herding of "Sheep in the neighborhood of Cities "and Towns" reported the bill back to the Senate with sundry amendments

Mr Barela moved.
To adopt report ~~and~~
To discharge the Committee
Carried

Mr Hill moved.
To order amendments engrossed ~~and~~
To place bill as amended on file for 3rd reading.
Carried.

Mr Butters moved.
To suspend the rules ~~and~~

Take up bills on 1st reading.
Carried.

H. B. No. 67, entitled "A Bill for an
"Act authorizing County Clerks in the
"State of Colorado, to administer oaths"
Read 1st time.

H. B. No. 206, entitled "A Bill for an
"Act to appropriate moneys to pay
"for the capture and return of Fugitives
"from Justice."
Read 1st time.

H. B. No. 265 entitled "A Bill for an act
"for the relief of the widow of C. Domin-
"guez"
Read 1st time

H. B. No. 232, entitled "A Bill for an
"Act to amend an act concerning Costs
"in Criminal Cases approved Feby. 11 1876"
Read 1st time.

H. B. No. 236, entitled "A Bill for an
"Act to amend the Charter of George-
"town"
Read 1st time.

H. B. No. 221. entitled "A Bill for an "Act to provide for issuing Warrants "by the Auditor, in payment of "Rent and Contingent Expenses of the "Executive, Legislative and Judicial "Departments, and to repeal all acts "inconsistent with this act" —

Read 1st time. —

S. B. No. 49, read 1st time. —

S. B. No. 60 read 1st time. —

Special Order

The hour having arrived for the consideration of H. B. No. 8 —

Mr Butler moved.
To postpone action and make it the Special Order for to-morrow. —

Mr Rockwell asked unanimous consent to take up, and consider S. C. R. No. 13 — Consent granted. —

Mr Rockwell moved.
To adopt Resolution —

Ayes and Noes called with following result.

Ayes.- Messrs. Barela, Bennett, Clelland, De France, Gaussoin, Hamilton, Hill, Johnson, Rockwell, and Taylor — 10.

Noes.- Messrs Bates, Butters, Cleaver, Ellsworth, Gardner, Haynes, Henson, Maxwell, Moynahan, Randall, Saunders & Webster — 12.

Absent & Not Voting —
Messrs Hall, Hamill, Weldman & Meyer — 4.

So the Senate refused to adopt S.C.R. No. 13.

Mr Ellsworth ~~asked~~ unanimous consent To take from the Table S.B. No. 25 entitled "A Bill for an act "to repeal certain Laws relating to "Corporations"
Consent granted &

Mr Ellsworth moved

That S. B. No. 25 be read 3d. time and put upon its final passage. ——
Carried. ——

S. B. No. 25 read 3d. time &c. ——
Passed by following vote ——

Ayes. – Messrs Barela, Bates, Brunet, Butler, Cleacon, Clelland, De Franca, Ellsmith, Gardner, Gaussoin, Hamilton, Haynes, Hruson, Johnson, Maxwell, Meyerahan, Randall, Rockwell, Saunders, &c Webster —— 20.

Noes. —— None

Absent &c Not Voting ——
Messrs, Hall, Hamill, Hill, Weldman, Meyer &c Taylor — 6.

Title agreed to. ——

Mr Ellsmith moved. ——
To take up ——
S. B. No. 38 entitled "A Bill for an act, "to provide for the exercise of the Right "of Eminent domain"

Carried.

Mr Ellsworth moved
To reconsider the vote whereby the Senate refused to concur in certain amendments proposed by the House to S. B. No. 38.
Carried.

Mr Ellsworth moved.
To amend House amendment to Sec. 6, as follows.
"Insert after the word 'ascertained' in
"line 46 - Sec. 6. 'Provided further that
"the Judge or the Court, before or when
"in any such proceedings are had
"shall determine the amount such pe-
"titioner shall be required to pay or
"deposit, pending any such ascertain-
"ment'"
Ayes and Noes called with following result.

Ayes - Messrs Banks, Bates, Brunt, Butters, Cleaves, Clelland, De-France, Ellsworth, Gaussine, Hamilton, Haynes, Hewes, Johnson, Maxwell, Mayrahew, Randall,

Rockwell, Saunders, and Webster—19

Noes. ——— None

Absent and Not Voting

Messrs Gardner, Hall, Hamill, Hill, McAdams, Meyer, and Taylor—7

So the motion was carried.

Mr Ellsworth moved
That the Senate refuse to concur in the amendments proposed by the House to S. B. No. 38, as follows.
In Line 2. Sec. 7.
All amendments in Sec. 13.
In Lines 2 and 5 in Sec. 14
In Line 3 in Sec. 15
All amendments in Sec. 17.
Ayes and Noes called with following result.

Ayes.—Messrs. Banks, Bates, Brunt, Coleman, Cleland, De France, Ellsworth, Ganssen, Hamilton, Haynes, Hinson, Hill, Johnson, Maxwell, Moynahan, Randall,

Rockwell, Saunders, and Webster — 19

Noes. — None

Absent and Not Voting

Messrs. Butler, Gardner, Hall, Harvill, McLaren, Meyer and Taylor — 7

So the Senate refused to concur in such amendments

Mr Webster moved,

That the Senate now resolve itself into the Committee of the Whole on General File

Carried.

So the Senate went into Committee of the Whole with

Mr Webster in the Chair.

The Committee of the Whole rose.

The Senate resumed its session and

The following report was read.

Mr President

The Committee of the Whole House have had under consideration the General File, have made further progress

with S. B. No. 28. entitled "A Bill for an "Act regulating Elections and repealing "all Territorial Acts upon the subject" and ask leave to sit again

W. W. Webster
Chairman.

Mr Butters moved
To receive report &c
To grant request
Carried

Mr Ellsworth moved.
To take a recess until 7 P.M.

Mr Brunt moved.
To adjourn
Carried

So at 5 P.M. the Senate adjourned.

Journal of the Senate

January 31st 1877

Appendix.

General Assembly of Colorado

Senate
First Session
Wednesday, January 31st 1877.

Senate met pursuant to adjournment —

Lieutenant Governor presiding. —

Roll Call —

Absent — Messrs Hamill (excused) Banta Hall, Hill, Meldrum, Moynahan and Webster —

Quorum present. —

Prayer by the Chaplain. —

Messrs Hill and Moynahan appeared and took their seats —

Journal of yesterday read corrected and approved. —

Reports of Standing Committees

Committee on Agriculture and Manufactures by its Chairman, Mr Gardner reported.

S. B. No. 32 entitled "A Bill for an Act "to establish a State Board of Agriculture and to define its duties" back to the Senate with Sundry amendments and the recommendation that the amendments be agreed to, and bill as amended engrossed for 3d reading.

Committee on Engrossment by its Chairman, Mr Maxwell reported.

S. B. No. 140 entitled "A Bill for an Act "to amend Chapter 61 of the Revised Statutes of Colorado"

Amendments to S. B. No. 36 entitled "A "Bill for an Act to prohibit the herding "of Sheep in the neighborhood of Cities "and Towns" and

Amendments to H. B. No. 192 entitled "A "Bill for an Act to provide for the disposition of Lots and Parcels of Land, "held in Trust by the Corporate Authorities of any town or by any Judge under "the provisions of any Act of Congress "or of the General Assembly of Colorado, "or both which are still undisposed of" back

to the Senate correctly engrossed.

S. B. No. 140 referred to Committee of the Whole.

Mr Gardner moved.
To adopt report of Committee on Agriculture and Manufactures.
Carried.

Resolutions

Mr Ellsworth offered the following resolution
"Resolved.
"That in order to expedite
"the business of this General Assembly,
"and to secure an early adjournment
"thereof, there shall be, on and after
"Feby. 1st 1877 evening sessions of the
"Senate commencing at 7½ O'clock
"unless otherwise ordered."

Reading of Bills

H. B. No. 67, entitled "A Bill for an act
"authorizing County Clerks in the State
"of Colorado to administer oaths.

Read 2nd time

Mr Ellsworth moved
To refer to Committee on Judiciary
Carried.

Messrs Banda & Webster appeared and
took their seats.

H. B. No. 206 entitled "A Bill for an
"Act to appropriate moneys to pay for
"the capture and return of Fugitives
"from Justice"

Read 2nd time

Mr Ellsworth moved
To refer to Committee on Finance, Ways
& Means.
Carried

H. B. No. 265 entitled "A Bill for an
"Act for the relief of the Widow of C.
"Dominguez"
Read 2nd time

Mr Haynes moved
To refer to Committee on Finance Ways

and Means
Carried.

H. B. No. 232, entitled "A Bill for an
"Act concerning Costs in Criminal Cases
"approved Feby. 11th 1876"
Read 2nd time

Mr Clelland moved
To refer to Committee on Judiciary
Carried.

H. B. No. 221, entitled "A Bill for an
"Act to provide for issuing warrants
"by the Auditor in payment of Rent
"and Contingent Expenses of the Executive,
"Legislative and Judicial departments,
"and to repeal all acts inconsistent
"with this act"
Read 2nd time

Mr Butters moved
To refer to Committee on Finance, Ways
and Means.
Carried.

H. B. No. 236 entitled "A Bill for an act
"to amend the Charter of Georgetown"

Read 2nd time

Mr Randall moved,
To refer to Committee on Education, School and University Lands.
Carried.

S. B. No 49 entitled "A Bill for an act "to provide for the construction of buildings "used for public assemblages"
Read 2nd time

Mr Webster moved
To refer to Committee on Printing with orders to print
Carried.

S. B. No. 60 entitled "A Bill for an act "for the establishment and location of "a Hospital for the Insane of the State, "and to provide rules for the regulation "and government of the same"
Read 2nd time

Mr Webster moved
To refer to Committee on State Institutions and Public Buildings
Carried

S. B. No. 36. read 3d time and

Passed by following vote

Ayes—Messrs. Barela, Bates, Bennet, Butler, Chacon, Clelland, De France, Ellsworth, Gardner, Gaussoin, Hall, Hamilton, Haynes, Hill, Johnson, Maxwell, Randall, Rockwell, Saunders, & Taylor — 20

Noes—Messrs. Henson, Monaghan, and Webster — 3

Absent and Not Voting

Messrs. Hamill, Meldrum and Meyer — 3

Title agreed to.

Special Order

The hour having arrived for consideration of H. B. No. 8 entitled "A bill "for an act to provide for the payment "of Salaries to Officers of the Executive "and Judicial Departments of the State "of Colorado"

Mr Butters moved.

To postpone action until to-morrow and make it Special Order for that day.

Carried.

Mr Hamilton asked unanimous consent to present a report.

Consent granted &c

Joint Committee on Enrollments

by its Chairman, Mr Hamilton reported

S. B. No. 70 presented to His Excellency, the Governor, for his approval at 9.20 O'clock a.m., January 31st 1877

Mr Haynes moved,

That the Senate now resolve itself into the Committee of the Whole on General File.

Carried.

So the Senate went into Committee of the Whole with

Mr Webster in the Chair

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read.
Mr President
The Committee of the Whole House have had under consideration the General File have made further progress with S. B. No 28 entitled "A Bill "for an act regulating Elections, and repealing all Territorial Acts upon the "subject" and ask leave to sit again
W. W. Webster
Chairman

Mr Butters moved
To receive report and
To grant request
Carried

Mr Butters moved
To adjourn
Carried

So at 12 O'clock and 30 minutes the Senate adjourned

Afternoon Session

Senate met at 2 P.M.

Mr Webster moved.
That the Senate now resolve itself into the Committee of the Whole on General File
Carried

So the Senate went into Committee of the Whole with
Mr Webster in the Chair

The Committee of the Whole rose &
The Senate resumed its session for the purpose of receiving the following

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver, Jany. 31st 1877.

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House has amended and passed S. B. No. 35.

which is herewith transmitted
The concurrence of the Senate in the amendments is requested

Respectfully
W. B. Fellows
Chief Clerk of the House

The Senate again went into Committee of the Whole with Mr Webster in the Chair

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The Committee of the Whole rose. The Senate resumed its session and The following report was read.

Mr President

The Committee of the Whole House have had under consideration the General File Have made sundry amendments to S. B. No. 28 and recommend that the bill be re-referred to Committee on Elections for further consideration of certain sections.

also

Recommend that S. M. and J. R. No. 12, "Praying Congress for the establishment of "a Military Post between Forts Lyon and "Union and near the line between

"Colorado and New Mexico" do pass.

also

Recommend that S. B. No. 140 do pass.

also

Recommend that S. B. No. 121 entitled "A "Bill for an act regulating the practice "in case of preliminary examination be-"fore Justices of the Peace while acting "as conservators of the Peace." be referred to Committee on Judiciary

W. W. Webster
Chairman

Mr Clelland moved
To adopt report
Carried

Mr Hall asked unanimous consent to present a report
Consent granted and

Committee on Counties and County Lines by its Chairman, Mr Hall reported

S. B. No. 175 entitled "A Bill for an "Act to establish the County of "Gunnison" back to the Senate with the recommendation that the bill

be filed for 1st reading

Mr Gardner moved
To adopt report
Carried.

Mr Morgan moved
To adjourn
Carried.

So at 4 P.M. the Senate adjourned.